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CONTAINS CONFIDENTIAL INFORMATION

Transcript of Ronald Sartini

Date: December 5, 2025

Case: Robert F. Kennedy Human Rights, et al. -v- US Dept. of Homeland Security,
et al.

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UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA

ROBERT F. KENNEDY HUMAN RIGHTS; Case No.:
SOUTHERN BORDER COMMUNITIES 25-1270-ACR
COALITION; URBAN JUSTICE CENTER,
Plaintiff,
v.
U.S. DEPARTMENT OF HOMELAND
SECURITY; KRISTI NOEM, IN HER
OFFICIAL CAPACITY AS SECRETARY
OF HOMELAND SECURITY,
Defendant.

--- CONTAINS CONFIDENTIAL INFORMATION ---

Deposition of RONALD SARTINI

Washington, D.C.

Friday, December 5, 2025

9:28 a.m.

Job No.: 609438

Pages: 1 - 274

Recorded by: Justice Dominguez

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1 Deposition of RONALD SARTINI, held at the
2 offices of:

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Pursuant to Notice, before Justice Dominguez,

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Notary Public in and for the District of Columbia.

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A P P E A R A N C E S (C T N ' D)

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1 A P P E A R A N C E S (C T N ' D)

2

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21 ALSO PRESENT:

22 KONLY HARDING, Planet Depos Trainer

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1 Q Okay. And for approximately how long
2 did you meet?

3 A Two and a half, three hours.

4 Q Did you speak with anyone besides
5 counsel about your testimony today?

6 A No.

7 Q Did you talk to Troup Hemenway about the
8 deposition testimony that he gave?

9 A No.

10 Q Did you talk to Joseph Guy about the
11 deposition testimony that he gave?

12 A No.

13 Q Are you familiar with the deposition
14 testimony that those two gentlemen provided?

15 A Not directly familiar.

16 Q You've testified previously in this case
17 at a couple of hearings before Judge Ana Reyes.
18 Do you recall that testimony?

19 A Yes.

20 Q During your testimony on May 19th, you
21 were asked or you gave testimony about
22 conversations you had had with existing staff at

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1 three offices within the Department of Homeland
2 Security: Office for Civil Rights and Civil
3 Liberties, Office of the Immigration Detention
4 Ombudsman, and the Citizenship and Immigration
5 Services Ombudsman's Office.

6 Do you remember testifying about those
7 conversations with existing staff?

8 A Yes.

9 Q Who asked you to speak with the staff at
10 those three offices about their operations?

11 A The Acting General Counsel, Joseph
12 Mazza.

13 Q And when did Mr. Mazza ask you to have
14 those conversations?

15 A I don't remember the date, but I'm
16 fairly confident it was March 21st or 22nd. It
17 was shortly after the RIF notices went out.

18 Q And what were you told was the reason
19 for having those conversations with the staff?

20 MR. DAVIS: Objection, deliberative
21 process privilege. I'm going to instruct the
22 witness not to answer that. And attorney-client

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1 privilege.

2 Q What did you -- strike that.

3 Do you remember who at CRCL you spoke
4 with?

5 A Yes.

6 Q Who did you speak with?

7 A Peter Mina, Veronica Venture, and Dana
8 Salvano-Dunn, and Brian Sterling.

9 Q And I guess we'll expedite and look for
10 an exhibit.

11 MS. GILBRIDE: Does anyone recall what
12 exhibit we ended on Wednesday? Was it 47th?

13 MS. DECKER: It was -- yes. 47.

14 MS. GILBRIDE: So we'll mark this as
15 Exhibit 48.

16 (Exhibit 48 was marked for
17 identification and is attached to the transcript.)

18 Q Mr. Sartini, have you had a chance to
19 review this document?

20 A Yes.

21 Q And what does the document appear to be?

22 A It appears to be an org chart of CRCL as

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1 of March 5th, 2025.

2 Q And a couple moments ago, you listed
3 some individuals who you had spoken with at CRCL.
4 Do you see their names on this org chart?

5 A I see some of the names. I see Sterling
6 and Venture. Yes, I see Peter Mina. Yes. And I
7 see Dana. The org chart's a little hard to read.

8 Q Okay.

9 A A lot going on there.

10 Q Well, either from your own recollection
11 or from the org chart, if it's helpful to you, can
12 you tell us the positions within CRCL of the
13 individuals that you spoke with?

14 A Yes. So the way the positions were
15 presented to me does not exactly line up with the
16 org chart.

17 But Peter Mina, I believe, presented
18 himself as the Acting CRCL Officer.

19 Veronica Venture presented herself as
20 the Deputy Officer and the Head of the EEO
21 Program.

22 Dana Salvano-Dunn, I believe, presented

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1 herself as the Head of Programs and Compliance.
2 But it was understood to me she was the third
3 highest ranking in the office at that time and in
4 SES.

5 And then fourth in the hierarchy would
6 have been [REDACTED], who presented himself as
7 the Chief of Staff, not in SES.

8 Q And you spoke with those individuals
9 about the functions that CRCL was performing; is
10 that correct?

11 A Yes.

12 Q And as well as about its day-to-day
13 operations and staffing?

14 A Yes.

15 Q Is that accurate?

16 A Yes.

17 Q And did you meet with individuals at the
18 Office of the Immigration Detention Ombudsman?

19 A Yes.

20 Q Who did you meet with at that office?

21 A Mary Ellen May Marion.

22 Q Anyone else?

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1 A There was one other -- one other
2 individual whose name now escapes me. I don't
3 remember.

4 My conversations were primarily with
5 her. He was an ancillary figure in the
6 conversations.

7 Q And what did you discuss with Mary Ellen
8 May Marion?

9 MR. DAVIS: Objection, deliberative
10 process privilege. The witness can answer at a
11 high level of generality, but not about specific
12 conversations or advice given.

13 A The functions of the office and
14 operations.

15 Q And who did you meet with at the
16 Citizenship and Immigration Services Ombudsman's
17 office?

18 A Nathan Steifel, the Deputy Ombudsman who
19 was acting as the Ombudsman.

20 Q Anyone else?

21 A No.

22 Q Was the subject matter of those

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1 conversations similar to what you've described for
2 the other offices?

3 A Yes.

4 Q And did you report back to anyone else
5 at DHS on the conversations that you had with
6 personnel at these three offices?

7 A Only the General Counsel and perhaps
8 some of his attorneys.

9 Q And did you tell them that based on what
10 you had learned from these conversations, you did
11 not believe that the offices should be eliminated
12 in their entirety?

13 MR. DAVIS: Objection, attorney-client
14 privilege and deliberative process privilege. I'm
15 going to instruct the witness not to answer about
16 conversations and topics he had with his
17 attorneys.

18 Q Independent of what you told anyone, did
19 you believe after having these conversations that
20 the offices should be eliminated in their
21 entirety?

22 A No.

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1 Q Did you believe that all positions in
2 the offices should be eliminated?

3 A I did not have an opinion as to
4 elimination of positions.

5 Q When did you complete your review of the
6 three offices?

7 A I don't recall. I know I was at the
8 active work of understanding their functions and
9 figuring out how to continue their operations for
10 at least several weeks, maybe more. I would say
11 probably no more than a month and a half of active
12 transition, planning, and research.

13 Q And during that several week period, did
14 you have one conversation with the Office of
15 General Counsel personnel or more than one
16 conversation?

17 A More than one.

18 Q Did you record any of your observations
19 and conclusions in writing?

20 A I had notes, personal notes, like,
21 handwritten notes. There was at one point a
22 CONOPS, a concept of operations, which was early

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1 like to see it. But you testified about not being
2 able to personally perform all the statutory
3 functions of all three offices yourself. Do you
4 still agree that that is the case?

5 A I don't recall particularly -- in
6 particular, saying that. Do I perform -- I am
7 able to execute all of the required functions of
8 the offices that I hold, keeping in mind that none
9 of these components of DHS ever had their
10 functions executed by one person each.

11 They are all offices. They are staffed.
12 I am not executing the functions alone by any
13 stretch.

14 Q Who is helping you to perform these
15 functions?

16 A So there is Mr. Guy and Mr. Hemenway at
17 OIDO and CRCL, respectively.

18 I have a chief of staff in CRCL and
19 OIDO, [REDACTED], who is an enormous help in
20 operating those offices.

21 I have staff, line-level,
22 non-supervisory staff in OIDO and CRCL.

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1 And there are contractors. And all of
2 the admin functions have been realigned to offices
3 in the Management Directory.

4 And I also have assistance from the
5 Office of the General Counsel where and when
6 counsel is needed.

7 Q I would like to go back and ask, when
8 you referred to the Management Directorate and
9 their role in assisting with performance of these
10 functions, can you elaborate on what sort of
11 assistance they provide?

12 A Sure. So prior to the RIF, there were
13 dozens of employees at these three offices who
14 performed what I would call admin-type functions:
15 HR, IT, budget, contracting, travel support. And
16 all of those functions have been realigned under
17 the management offices that do that work for the
18 department generally.

19 So, for example, contracting. Instead
20 of CORs, Contracting Officer Representatives,
21 being in CRCL, there are now already level 3 CORs,
22 which is the highest level of COR available to me

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1 A Mr. Guy provides guidance and oversight
2 to ensure that we are in keeping with the
3 Secretary's priorities for how the office should
4 be run.

5 He removes -- as Mr. Hemenway does. I
6 neglected to say this. He removes hurdles, which
7 is a very important role. And it's very nice to
8 have individuals at such a high standing in the
9 department to be able to clear any hurdles that we
10 may face. And so he removes those hurdles for us
11 and reviews documents that require higher-level
12 signature, including the Secretary's signature, or
13 that may go out of the department to Congress.

14 Q So you would expect that Mr. Guy would
15 be familiar with correspondence to and from
16 members of Congress involving OIDO?

17 A If received, yes.

18 Q Who is [REDACTED]?

19 A He is my Deputy Ombudsman in CISOM, and
20 he is acting as the Chief of Staff of CRCL and
21 OIDO.

22 Q What duties does he perform?

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1 A So they vary more by office. So for
2 CISOM, he is overseeing management of the queue of
3 questions that we receive from the public portal,
4 and he assisted in the drafting of the annual
5 report.

6 For OIDO, he oversees and manages the
7 day-to-day of the complaint portal and works with
8 ICE and CBP to schedule inspections.

9 And then for CRCL, he is heavily
10 involved on the technical side, helping to reform
11 the complaint management system and the many
12 technical problems that arise out of having such a
13 high-volume, complex system.

14 And then he manages admin functions for
15 CRCL and OIDO pertaining to interfacing with the
16 admin offices so that we have funding and travel
17 approved and time cards and performance plans.
18 All of the issues that crop up, he is my primary
19 liaison with the management offices.

20 Q What is Mr. [REDACTED] professional
21 background?

22 A [REDACTED]

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1 least -- or he was an employee of USCIS for at
2 least 10 years, maybe 12. He is an immigrant
3 himself, and so he brought to his role at USCIS a
4 knowledge of -- personal knowledge of the
5 immigration experience.

6 And over that time, he was a product
7 owner of some of the largest case processing
8 systems, record holding and management systems in
9 the entire government. And so he has worked both
10 on the business side of those systems and the
11 technical side of those systems and brings an
12 enormous skill set: Not just in technical system
13 management, but supervision and contract
14 management.

15 Q When did you take on your role as Deputy
16 Officer of CRCL?

17 A I don't remember. But I believe it was
18 sometime in May, mid-May.

19 Q Was it around the same time that Mr.
20 Hemenway took on his role?

21 A Yes.

22 Q And what about your role at OIDO? Did

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1 more or less than \$10 million contracts?

2 A So currently we are spending less than
3 \$10 million, particularly because we're in a CR
4 that only covers about a third of the year.

5 Q So does that mean that contracts have
6 been cut?

7 A Some have been cut. Yes.

8 Q Which ones were cut?

9 A I may not remember all of them. But I
10 could tell you as a category, contracts related to
11 medical document review have been cut.

12 I believe there was a translation
13 contract that was cut. And all of the contracts
14 at -- well, are we only talking about CRCL?

15 Q No, all three.

16 A All three? So all of the contracts at
17 OIDO. So what I just said was CRCL only, and then
18 all of the contracts at OIDO and CISOM have been
19 cut.

20 Q We may return to that exhibit, but you
21 can set it aside for now. Thank you.

22 This, we will mark as Exhibit 8. It was

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1 seven of them.

2 Q And is that the same number of
3 contractors given the proviso you just made about
4 not knowing the exact number? Is the volume of
5 work being performed under that contract the same
6 as it was in May of 2025 or more?

7 A It is slightly more. And I have
8 accordingly plussed up the contract to both add --
9 and how the contractor chose to handle my plussing
10 it up was to add an FTE who happens to have been a
11 former CRCL employee who was RIF'd. And they have
12 also chosen to work overtime to meet the workload,
13 and I have authorized that time.

14 Q So if there were -- if there are now
15 approximately seven FTEs, that means that in May
16 there were approximately six; is that right?

17 A There was one less than there is now.
18 Yes. Maybe it's eight now and seven then. I'm
19 not 100 percent sure.

20 Q All right. Turning to paragraph 6 of
21 Mr. Hemenway's declaration. Is the contract
22 described in paragraph 6 still active?

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1 But as far as I know, there are at least
2 three individuals on that contract for us.

3 Q And to your knowledge, were those
4 staffing levels on the three contracts the same
5 when CRCL also had full-time employees handling
6 equal employment matters?

7 A Yes.

8 Q You mentioned earlier that part of your
9 role as Deputy CRCL Officer involves managing the
10 processing of the EEO complaints?

11 A Yes.

12 Q Does that mean that you are personally
13 responsible for supervising these contractors?

14 A Yes.

15 Q And what does that supervision entail?

16 A It entails ensuring that case processing
17 in every step of the process is timely, and then
18 ensuring that the quality, the work is being done
19 to an acceptable level of performance to meet our
20 legal requirements.

21 Q Do you review their work product?

22 A I sign their work product. The work

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1 product is primarily reviewed by attorneys from
2 the Office of the General Counsel.

3 Q And are there certain tasks that must be
4 performed by a full-time federal employee and
5 cannot be performed by a contractor?

6 A The signing of the documents is done by
7 myself. And as I understand it, that has to be
8 done by a federal employee.

9 I'm not aware of any others in the EEO
10 space that have to be performed by a federal
11 employee, but we do have one federal employee
12 assisting with managing the work and doing the
13 work itself, the investigations, plus the
14 attorneys from the Office of the General Counsel.

15 Q And you mentioned that you sign
16 documents. Do you ever recommend revisions or
17 changes to any of the documents before signing
18 them?

19 A At times, I do. Yes.

20 Q What would be the basis for recommending
21 a change?

22 A Reading the fact pattern in the

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1 complaint and making a reasoned judgment as to
2 whether or not discrimination has occurred. And
3 that will typically result in a conference between
4 me and my attorneys. And we will go through the
5 law point by point, and the attorneys will explain
6 why the determination was reached that was.

7 Q And when you say my attorneys, you're
8 referring to attorneys in DHS Office of General
9 Counsel?

10 A Yes.

11 Q Turning to paragraph 11 of Mr.
12 Hemenway's declaration, is the contract with
13 Klemen Consulting (phonetic) still in effect?

14 A No.

15 Q Has any other contract been entered into
16 to take the place of this contract with Klemen
17 Consulting?

18 A Not a contract. We have engaged the
19 Office of Health Services in the department to
20 conduct all medical review that we deem necessary.

21 Q Is the Office of Health Services a
22 subcomponent of ICE, or is it a separate

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1 component?

2 A No. It's a headquarters component
3 reporting direct to the Secretary.

4 Q And can you speak more about this nature
5 of that consultation? Are there staff details
6 full-time from OHS to CRCL, or is it more ad hoc?

7 A It is as we need it, not -- there are no
8 details.

9 Q And when you call in someone from the
10 Office of Health Services, are they being asked to
11 review documents, or are they being asked to go in
12 person to observe someone in detention? What
13 sorts of things are they being asked to do?

14 A So our agreement is that they will do
15 all of the above. At the moment, we have asked
16 them to undertake document review.

17 Q So you, between May of 2025 and today,
18 have not had occasion to ask them to consult
19 in-person on a case?

20 A Correct.

21 Q And approximately how many cases have
22 you asked them to conduct document review for?

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1 A I don't know the exact number, but it's
2 at least a dozen.

3 Q Turning back to Mr. Hemenway's
4 declaration, paragraph 12. Oh, I'm sorry. That's
5 JDG. We've already talked about them.

6 I'll ask anyway: Is JDG still
7 performing this function of writing up final
8 decisions that is discussed in paragraph 12?

9 A Yes. And this is a different contract
10 than the other JDG contract. This is a
11 contract -- not only am I plussing up, but I'm
12 probably quintupling compared to its previous
13 utilization.

14 Q Is JDG Associates writing all final
15 agency decisions for DHS at this time?

16 A No.

17 Q Which decisions are assigned to JDG
18 Associates?

19 A There isn't a rubric that I use. It's
20 as my attorneys are available. Right now,
21 attorneys are writing the FADs. And as their
22 workload allows their writing, and if they are not

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1 able to do it and they want increased capacity, we
2 are relying on JDG.

3 Q So you anticipate increasing JDG's
4 footprint from what it currently is, but have not
5 done so yet; is that right?

6 A No, we are in the process of doing it.
7 The order has already gone out to do it, and the
8 contractor is in the process of onboarding staff
9 to meet our requirement.

10 Q Approximately how many employees are
11 employed across all of DHS at this time?

12 A I don't know. Maybe 200,000.

13 Q Do you know how many EEO complaints are
14 currently pending with CRCL?

15 A I don't know the number, but I know we
16 have those numbers. I think we've produced them
17 or are going to update them. I know that we are
18 timely on our EEO workload.

19 Q Do you know how many final agency
20 decisions or FADs have been issued since May of
21 2025?

22 A I do not know.

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1 Q And it's your testimony that those final
2 agency decisions up until this date have all been
3 written by OGC attorneys?

4 A No, I do not know that. I know there
5 has been some contract work done.

6 Q So total, across all of the various
7 contracts that we've been discussing, how many
8 contractors or FTE, full-time equivalent, hours by
9 contractors are being utilized by CRCL at this
10 time?

11 A Probably somewhere between 25 and 30.

12 Q And is that a higher number of
13 contractor FTE, full-time equivalents, than was
14 being utilized in May of 2025?

15 A Yes.

16 Q By how much of an increase?

17 A I don't know how much of an increase.
18 But I know there is, again, the plussing up of the
19 one contract that handles civil rights complaints.

20 So that's at least an FTE of one, but
21 probably more depending on that flexible capacity
22 that the contractor utilizes, plus a significant

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1 increase in the FAD writing contract. And then
2 the other contracts are probably at the same
3 level.

4 Q And do any of these CRCL contractors
5 that we've been discussing perform tasks for other
6 offices besides CRCL?

7 A No.

8 Q Do you know what the backgrounds of the
9 contractors who are reviewing the complaints from
10 members of the public? Do you know what subject
11 matter expertise those individuals have?

12 A At CRCL?

13 Q Yes. That would be the first contract
14 we discussed in paragraph 5.

15 A Yes. To my knowledge, so I know what
16 the contract requirements are for those staff. So
17 that is the requirement that I work with. But I
18 do happen to know that most of those contractors
19 are attorneys, and one of them is a former CRCL
20 employee.

21 Q And we talked earlier with regard to the
22 EEO contractors about whether there were certain

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1 CRCL?

2 A Well, I didn't say they weren't a
3 permanent solution. They are indeed part of the
4 permanent solution, particularly the contract at
5 issue in paragraph 5.

6 Q You may have already testified to this,
7 but just so that we have a clear record: Can you
8 say how many full-time employees are at CISOM
9 besides yourself?

10 A One, and one detailee.

11 Q And who is the one full-time employee?

12 A [REDACTED]

13 Q And Mr. [REDACTED] also performs work for
14 CRCL and for OIDO; is that correct?

15 A Yes.

16 Q So other than the one detailee, is there
17 anyone who is performing work for CISOM full-time?

18 A No.

19 Q When did the detailee come on board?

20 A I don't remember, but it was probably
21 somewhere in the early summer. June, perhaps.

22 Q Have there been any other detailees

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1 since May of 2025 at CISOM?

2 A No.

3 Q And how many full-time employees are
4 currently working at CRCL?

5 A Two.

6 Q Any detailees?

7 A No.

8 Q How many full-time employees are
9 currently working at OIDO?

10 A Three.

11 Q Any detailees?

12 A Two.

13 Q Do you know what the length of their
14 details is?

15 A I have them -- the offices have
16 indicated that I have them as long as I want them,
17 and right now we are assuming at least a one-year
18 detail.

19 Q Is that the same for the CISOM detailee?

20 A Yes.

21 MS. GILBRIDE: This would be 50 -- 50,
22 I believe.

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Transcript of Ronald Sartini
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1 A Yes.

2 Q And when you drafted this job
3 announcement, it was a single job announcement
4 from which you would hire multiple candidates; is
5 that right?

6 A Yes.

7 Q So why did you decide to hire
8 generalists for CRCL instead of having specialists
9 in particular subject matters?

10 A It's a more efficient and flexible
11 staffing model, which is a common way to approach
12 staffing in the federal government.

13 This is something, actually, that I
14 learned from one of the SESs at the FBI some time
15 ago who had mentored me. And they found that if
16 they trained staff who handled a particular type
17 of inquiry or complaint as generalists, they were
18 able to spread their work over a much greater
19 capacity. Specialization comes with inherent
20 bottlenecking.

21 Q Do you intend to hire additional law
22 enforcement specialists besides Mr. ██████████ and

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1 description made sense, whereas CRCL's is much
2 broader, and Investigator covers the breadth of
3 work that CRCL employees might encounter.

4 So I believe that that was not a change
5 on my part, but an error on OCHCO's part. And
6 when we discovered the error, we probably had them
7 take it down, which might account for why the
8 position was posted for such a short time.

9 Q This might be a good time to talk more
10 about the division of responsibilities between the
11 contractors and the investigators. When a
12 complaint comes in to CRCL, who would be the first
13 person to review it?

14 A Consistent with my understanding of past
15 practice, it's the contractors on the PCI
16 contract.

17 Q And what does that initial review
18 entail?

19 A They read the entire complaint, and they
20 determine, firstly, whether or not it's spam,
21 whether it's legitimate mail. Because we get an
22 enormous amount of pure spam, and we're working on

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1 fixing that problem.

2 And then secondly, if we have
3 jurisdiction. So if it looks like a legitimate
4 complaint, then is it even in our jurisdiction,
5 both within the department and the government, but
6 also then, in particular, within CRCL's
7 jurisdiction?

8 And at that point, they categorize the
9 complaint by type, using categories that
10 preexisted me. We have not changed this part of
11 the process, to my knowledge. And they write up a
12 summary of the complaint, and then they propose it
13 in a spreadsheet to myself, Mr. [REDACTED] the
14 Office of the General Counsel. Attorneys who
15 advise us are also aware of the cases presented to
16 us.

17 And then we have discussions to
18 determine which we will take up for investigation,
19 which we will not, which we will forward to ICBP
20 or the relevant component, which are purely going
21 to be handled as medical referrals.

22 And then when there is a course of

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1 action decided, it is tasked out either to a Fed
2 or to a contractor. And that's the process.

3 Q So once a decision is made about how to
4 categorize a complaint, under what circumstances
5 would it be assigned to a Fed?

6 A We are flexible. There isn't a bright-
7 line rule. But right now the standard that I'm
8 operating under is if we are going to make -- if
9 we are going to group the complaint in with
10 similar complaints -- for example, all complaints
11 related to a particular detention facility --
12 those are being assigned to a Fed for onsite
13 follow-up on any number of complaints that have a
14 commonality to them.

15 And then right now, the rest, for the
16 most part, if not entirely, are being investigated
17 by the contractors.

18 Q A few moments ago, you mentioned
19 complaints that are outside of CRCL's
20 jurisdiction. What would be an example of a type
21 of complaint that would fall outside of CRCL's
22 jurisdiction?

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1 A If it doesn't directly concern civil
2 liberties. And we get a lot for other law
3 enforcement agencies, as well. We have a lot that
4 concern the FBI because individuals think the FBI
5 is under DHS. But typically it would be something
6 that doesn't have a civil liberties nexus.

7 Q And once a contractor determines that a
8 complaint is outside of CRCL's jurisdiction, is
9 that determination reviewed by a full-time
10 employee?

11 A We do. We receive logs of everything
12 that they receive, including the spam, and we do
13 review that.

14 Q And then what is the next step that's
15 taken for an outside jurisdiction complaint?

16 A We will refer it over to the relevant
17 office, and that is the end of it.

18 Q Other than investigating a subset of
19 complaints and reviewing the work product of the
20 contractors, are there other duties that Mr.
21 [REDACTED] and Mr. [REDACTED] have that we haven't
22 discussed?

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1 A Well, Mr. [REDACTED] handles a good portion of
2 the EEO complaint management work, including
3 drafting some of the documents on the EEO side.
4 They help with report writing. And that's it.

5 Q All right.

6 MS. GILBRIDE: I think this is Exhibit
7 51.

8 (Whispered conversation.)

9 MS. GILBRIDE: Are there full copies?

10 MS. DECKER: Yeah. So this is three
11 copies.

12 MS. GILBRIDE: 51. All right. And
13 we'll just figure out what that is later.

14 (Exhibit 51 was marked for
15 identification and is attached to the transcript.)

16 Q Are you familiar with this document, Mr.
17 Sartini?

18 A Yes. And the title and body of the
19 document look correct here. This is the Law
20 Enforcement Specialist Assessment Programs for
21 OIDO Job Announcement.

22 Q Did you have a role in drafting this job

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1 So this has not been going on all that
2 long. But since we've been back, they've been on
3 constant travel. And I believe there was travel
4 right before the shutdown, as well.

5 Q So going forward, what do you anticipate
6 being the number of days per month that the law
7 enforcement specialists will spend in detention
8 facilities?

9 A Probably about half their time.

10 Q How many inspect -- strike that.

11 How many distinct detention facilities is
12 each employee expected to visit?

13 A There isn't a quota. Our goal is to
14 inspect as many as we can within a year until we
15 hit all of the facilities and we have the option
16 to focus on particular ones if there is a reason
17 to.

18 But I'm proud to state that we've
19 inspected as many facilities already in just a few
20 months, even with the longest shutdown in
21 government history as OIDO inspected in their --
22 as they reported they inspected in their FY23

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1 report, despite having 120 employees.

2 Q And from your understanding of the OIDO
3 2023 report, did those employees make repeated
4 visits to the same facilities?

5 A I don't know. It's not -- from my
6 reading or what I remember of the report, it's not
7 quite clear.

8 Q Under your current plan for OIDO going
9 forward, will employees be expected to return to
10 the same facility that they have already visited?

11 A Sure. It would be a natural part of an
12 after-action plan or following up on a report.

13 So, for example, if there are
14 recommendations set forth in the report and ICE or
15 CBP adopt the recommendations, it would be natural
16 to follow up to see if those recommendations were
17 implemented at some point.

18 Q So how frequently would you anticipate a
19 law enforcement specialist returning to a facility
20 within their portfolio?

21 A I don't have an expectation. I think
22 that's a decision that we can make as we move

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1 along.

2 Q So between the five individuals
3 currently working for OIDO, how are detention
4 facilities distributed?

5 A Primarily by the region that the
6 individuals know and are comfortable with. So if
7 an individual -- the individual who we have who
8 comes from Texas and was a border patrol agent in
9 Texas and knows those facilities well, he is more
10 likely to be assigned to cover those facilities.

11 And, for example, we have an employee in
12 Pennsylvania who worked at one of the larger
13 facilities there. And so it makes sense that she
14 would be more likely to be assigned both to
15 inspecting that facility and the others around it.

16 Q Do you know how many detention
17 facilities are currently in operation?

18 A I believe -- so the number changes all
19 the time, but it's around 200.

20 Q So would you anticipate each of your
21 five OIDO employees being responsible for
22 approximately 40 facilities?

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1 A Yes. That's feasible. And the fact
2 that we already have knocked out 22 inspections
3 tells me that that can be done.

4 And it doesn't only have to be done by
5 the three employees. We have detailees, and we
6 also have -- CRCL is authorized to conduct
7 inspections, as well.

8 But yes. I think that is feasible.

9 Q Do you intend to make additional hires
10 at OIDO?

11 A It's under discussion, but no decisions
12 have been reached. In particular, because we are
13 in a three-month CR, and the Office of Budget
14 informs me that no office should be doing hiring
15 when you don't have a year-long appropriation in
16 place. That is standard practice.

17 Q Do you intend to make any additional
18 hires at CISOM?

19 A Same -- same answer: Potentially. No
20 formal decisions made, and advise not to make them
21 while we have a short CR.

22 Q Are you familiar with the budget

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1 recommendation that was made to Congress for these
2 three offices?

3 A Yes.

4 Q Have the projections in that budget
5 affected your plans for the future for staffing
6 these three offices?

7 A They do. Yes, they have.

8 Q In what way have they affected your
9 plans?

10 A So the budget recommendation is a
11 reflection of OMB's guidance to the Department.
12 And right now, we do not -- we would not take
13 action that is inconsistent with OMB's guidance
14 without discussing all the way up the chain.

15 And so, again, the shutdown heavily
16 complicates things here because we don't know what
17 would have happened if there was a year-long CR or
18 not. But the fact of the matter is right now, all
19 of the plans don't really matter because we don't
20 have funding past January 30th.

21 Q And do your plans differ depending on
22 whether OIDO has an operating budget going forward

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1 Q Okay. Just turning your attention two
2 bullets down: Approximately 15 contractors are
3 actively intaking and logging cases.

4 Is that consistent with the contractor
5 presence that you described in your deposition
6 testimony today?

7 A Yes. It's more now. I think there's a
8 lot of question as to how you would define what's
9 in that 15, but yeah. What is meant there is now
10 either the same or slightly higher.

11 Q Okay. Turning your attention to
12 paragraph 4 on OIDO.

13 A Okay.

14 Q Let's go to the fifth bullet: A job
15 announcement by which OIDO will be appropriately
16 restaffed.

17 Again, here, you estimated that you
18 would make a selection within three weeks of June
19 2nd. Did that occur, to your recollection?

20 A I'm pretty sure I did make a selection
21 within three weeks. Again, that's different from
22 the onboarding date, but I'm not 100 percent sure

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1 when the selection was made.

2 But, again, I moved with all haste, and
3 Mr. Guy moved as many roadblocks as he could.

4 Q And when were the three full-time hires
5 for OIDO onboarded?

6 A So I think they came on shortly after
7 the CRCL staff, so that was probably end of
8 August, early September. Two of them asked for a
9 significantly later start date. We were able to
10 onboard earlier than they onboarded, and then we
11 wound up onboarding them all at the same time.

12 So we were able to onboard earlier, but
13 they asked for -- I don't know if it was a pay
14 period, maybe two pay periods. Because they were
15 actually moving to the National Capital Region to
16 take the job, and they needed time to move.

17 Q I'm sorry. Did you say they had to
18 relocate to the Capital Region?

19 A Yes.

20 Q Okay. I have another exhibit. I want
21 to make sure I'm on the right page.

22 MS. DECKER: Actually, it's --

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1 MS. GILBRIDE: Is there anything else
2 down there? Yes. Yeah. That's the only thing
3 left in here. I'll pass it around.

4 MS. DECKER: Sure. And this is going
5 to be another exhibit?

6 MS. GILBRIDE: Yes. We haven't used
7 this one before.

8 MS. DECKER: 53?

9 MS. GILBRIDE: 53.

10 MS. COOGLE: This would be 54.

11 MS. GILBRIDE: Oh. Thank you.

12 (Exhibit 54 was marked for
13 identification and is attached to the transcript.)

14 BY MS. GILBRIDE:

15 Q Mr. Sartini, are you familiar with this
16 document?

17 A Yes.

18 Q What is it?

19 A A transcript of the motions hearing
20 before Judge Reyes from May 23rd, 2025, and it
21 appears to be the testimony given by myself and
22 Nicole Barksdale-Perry.

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1 Q Okay. I'd like to turn your attention
2 to page 98, which is a portion of your testimony.

3 A Okay.

4 Q And feel free to familiarize yourself
5 with this section of testimony, but you're
6 describing the time period to complete the hiring
7 process and how long you estimate it will take.

8 Do you see where you say you think it
9 will take around a month?

10 A Yes.

11 Q How long did it actually take for these
12 individuals to assume their roles?

13 A From that point, probably another two
14 months, depending on who we're talking about. If
15 it's a CRCL staff, maybe June, July. Yeah. Two,
16 two and a half months. And then OIDO staff,
17 probably three months.

18 Q Why did it take longer than you
19 estimated that it would take?

20 A So, again, for some of the candidates,
21 they requested that it be longer before they
22 onboard, and we accommodated.

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1 And then the other is -- and, I mean,
2 that's not that far off the mark for -- for a
3 hiring process. I think if you told any hiring
4 manager, we can go from cradle to grave to hiring
5 someone within 3 months, they would laugh and say,
6 no, it always takes 6 to 12 months. So it's still
7 very fast. And certainly my actions were taken
8 within a month, so far as I recall.

9 And I think where it took longer was
10 likely in the security vetting for the candidates,
11 which is outside my control and not a good process
12 to try to intrude on. So I believe that's why it
13 took longer.

14 But, again, that it happened as fast as
15 it did was a credit to the hurdles that high
16 leadership moved so that we could get this done.

17 Q You mentioned security vetting. Is that
18 something that you were familiar with when you
19 gave this testimony to Judge Reyes in May?

20 A I'm aware that it's a process that
21 happens. But the process, depending on the
22 candidate, varies. It can be very quick, as I was

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1 Q What about the number of people in
2 detention? Has the number of people in detention
3 increased since you made your staffing
4 recommendations?

5 A I don't know if it's increased since
6 May. It probably has. But, again, I had
7 awareness that the number of detainees would be
8 going up in this administration vice the previous.

9 Q What else has changed since you made
10 your staffing recommendations to Mr. Hemenway in
11 May of 2025 that's relevant to what the
12 appropriate staffing levels are?

13 A Well, largely what's changed is I have
14 been in the position for more than a few months
15 now, and I have seen that we can accomplish the
16 statutory functions with the staff we have. It
17 doesn't preclude future hiring.

18 But I have seen that we can, in fact,
19 meet our statutory requirements with the mix of
20 employees, detainees, and contractors, and OGC
21 support that we have.

22 Q Can you speak more about the support

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1 is OGC providing, if any, to OIDO?

2 MR. DAVIS: Just want to caution the
3 witness on attorney-client privilege data, high
4 level of generality, as you have been.

5 A They are reviewing our work product, so
6 drafts of reports, of inspection results. Yeah.
7 They review our products. They can advise on
8 immigration -- well, no. That would be CISOM.
9 Never mind. That's it for OIDO.

10 Q All right. I will ask you to set aside
11 the May 23rd hearing transcript for now. We may
12 return to it later. But I'd like you to return to
13 your June 2nd declaration and turn to paragraph 6.
14 And this relates to CISOM.

15 MS. COOGLE: Paragraph 5?

16 MS. GILBRIDE: Oh, is it paragraph 5?
17 You're right. Paragraph 5.

18 A Okay. So the second bullet point here
19 discusses detailed solicitations. Is it accurate
20 that three individuals began details on June 2nd?

21 A Yes. So it was accurate. We have moved
22 them over, two of them, to OIDO.

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1 Q So the two current OIDO detailees
2 started out at CISOM; is that right?

3 A One of them did. One dropped. So there
4 were three: One dropped, one remained at CISOM,
5 one went over to OIDO, and then we had another one
6 added at OIDO after that.

7 Q Okay. And the next bullet point refers
8 to the Deputy CIS Ombudsman. Do you know when Mr.
9 [REDACTED] was selected for his role?

10 A Yes. I believe he onboarded -- I don't
11 remember about selection, but I believe he
12 onboarded in late June, early July.

13 Q Okay. And when he was hired as Deputy
14 CIS Ombudsman, was he aware that he would be doing
15 work for CRCL and OIDO as well?

16 A No. That decision had not been reached
17 yet.

18 Q When did that decision get made?

19 A I don't remember. Probably not long
20 after he onboarded.

21 Q And then the next bullet point down says
22 you expect a job announcement by which CISOM will

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1 be fully staffed will be posted in the coming
2 weeks.

3 Was an additional job announcement for
4 CISOM ever posted?

5 A It was not posted because what happened
6 between the date of this declaration and before we
7 posted anything was the OMB budget recommendations
8 came out saying no more than two at CISOM. And so
9 we had two; we had myself and Mr. [REDACTED]. So we
10 stopped there for the time being.

11 Q And we spoke earlier today about salary
12 allocations in the budget for people who are
13 wearing two or three hats. Was there any way that
14 you could use that funding to hire additional
15 people at CISOM?

16 A No. So I'm not sure I understand the
17 question, though. Where -- what extra funding are
18 you referring to?

19 Q So I'm referring to the fact that, for
20 example, there's money allocated for Mr.
21 Hemenway's salary or for the salary of the CRCL
22 officer, but Mr. Hemenway has another full-time

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1 not include for the sake of brevity.

2 Have you ever seen this position title,
3 Regional Representative, Local Ombudsman before?

4 A Yes.

5 Q What is your understanding of what that
6 position did?

7 A So in my extensive transition
8 discussions with the acting ombudsman, he
9 intimated to me that there were four local
10 ombudsmen or four regional representatives that
11 they were hoping could serve as the local
12 ombudsman function, and that they simply did not
13 have money to hire more, and that in the office's
14 20-year history, they've only had these regional
15 representatives for a year or two and that this
16 was their attempt to meet the unfunded mandate in
17 the statute.

18 Q And as part of your staffing plan for
19 CISOM, did you include any regional
20 representatives or local ombudsmen going forward?

21 A I did not, for two reasons. The
22 position, again, was -- is simply not funded by

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1 Congress. The statute, I think, is quite clear
2 that it envisions 50 local ombudsmen, one for each
3 state. That's how I read it. I'm pretty sure it
4 says the number 50.

5 And four is not 50. Regional is not in
6 each state, so that's not the same thing. And I
7 didn't think that we needed to begin fulfilling
8 that requirement at this point in time when, in
9 the 20-year history of the office, it never had
10 been. That was reason one.

11 Number two, my plan at the time -- and
12 it is still my plan -- is to explore, after
13 seeking counsel, other ways that we may appoint
14 local ombudsmen other than hiring full-time
15 federal employees.

16 Q And you said that is still your plan.
17 Do you have a timetable for when that may occur?

18 A It is just a plan. It needs to be
19 researched and discussed with counsel. There is
20 no timetable at the moment.

21 MS. GILBRIDE: Let's go off the record.

22 THE REPORTER: One moment.

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1 pure spam is not typically part of an office's
2 casework.

3 Q And in your declaration that we looked
4 at earlier today that you submitted in May, May
5 14th of 2025, you referred to one of the things
6 you were tasked to do is determine if there were
7 any software innovations or efficiencies that
8 could help streamline the operations of the three
9 offices.

10 Have you made any software innovations
11 or adopted any new technologies at CRCL?

12 A Not new technologies. We are
13 simplifying the case management system. The CRCL
14 case management system, as I have inherited it, is
15 very difficult to work with. It doesn't match
16 what I would call best practices in any industry
17 for high-volume complaint or case management.

18 And having been an executive over
19 offices that ran a number of such systems, my
20 goal -- and I've tasked Rodolfo Gomez as well --
21 to get this system operating in a very standard
22 way so that there is not a constant need for our

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1 contractors to seek the help of IT to just make
2 the system function.

3 It is nowhere near as efficient as it
4 should be, and we are in the process of rolling
5 out the incremental improvements right now. We've
6 developed the user stories, which is a technical
7 term to develop software and alter it, and we are
8 in the process of releasing updates that would
9 simplify the system.

10 Q And any of those system changes that
11 you're describing, will they affect the interface
12 that members of the public have with the CRCL web
13 portal?

14 A No. This is purely on the back end.

15 Q Are there any other ways that members of
16 the public can submit complaints besides the web
17 portal?

18 A No.

19 Q Do you know if that is a change from
20 prior CRCL policy?

21 A It is a change.

22 Q Do you know when that change went into

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1 effect?

2 A I adopted the change. I don't know
3 exactly when. It was probably over the late --
4 around the late summer.

5 Q And why did you make that change?

6 A For efficiency's sake. The president
7 has directed efficiency through executive orders.
8 And the ability to receive mail is a burden on us
9 that is inefficient, and it is not in keeping with
10 good customer service, either.

11 We get mail very slowly, and then it
12 becomes a problem to log correctly. We also don't
13 have a great way to get mail back out if we don't
14 have anything other than a mailing address.

15 If a complainant sent us mail at a given
16 time, it takes, like, two weeks to reach us
17 because of the irradiation facility that's used to
18 screen the mail. Often they are not still
19 available at the address they sent it from.

20 And so it's much faster, and the data
21 entry is much tighter and more efficient if
22 everything is borne online.

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1 Q Is it also burdensome for CRCL to
2 receive complaints via email?

3 A It is, and so we have stopped doing so.
4 We only use email for appeals.

5 But email actually has a worse problem
6 than snail mail in that it is very easy to spam it
7 and to send viruses and large attachments that
8 wreck our system. This was happening recently,
9 and we had to take steps to protect the network so
10 that we could actually access legitimate claims
11 and not have the system crippled by spammers.

12 Q Do individual contractors or full-time
13 employee investigators correspond with
14 complainants using email?

15 A The contractors may. I don't believe
16 the Feds do. The contractors correspond, at least
17 for appeals, via email. And yes, we do send
18 emails back.

19 Q So you had given an answer earlier in
20 today's deposition about what happens when a
21 complaint is submitted and the contractor
22 reviewing it, and then a number of things can

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1 happen based on the nature of the complaint.

2 I want to return to that topic and speak more
3 about complaints that involve a medical or
4 health-related issue.

5 First of all, do you know as an
6 approximation or estimate how many of the
7 complaints that are currently in your system at
8 CRCL involve a health or medical issue?

9 A I don't know. But that is information
10 we have and do track, and I get readouts on the
11 breakdown every so often. But I don't know here
12 today.

13 Q And if a contractor who is reviewing a
14 complaint identifies it as a medical or
15 health-related complaint, what would the next step
16 be?

17 A So there are a number of things that can
18 happen. If it's determined that that is a
19 relatively urgent complaint, consistent with past
20 practice, we are sending them over to a particular
21 POC at ICE or CBP, although they tend to be
22 related to ICE, those complaints. They're sent

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1 over.

2 And then there is the option to treat it
3 also as a complaint needing investigation, or it
4 ends with the medical referral being sent over.

5 Q So earlier, you had testified about the
6 Office of Health Services?

7 A Yes.

8 Q In what circumstances would a medical
9 complaint be referred to the Office of Health
10 Services?

11 A That is an option that I can exercise if
12 I see fit or that any of our Feds can authorize.
13 And it depends on the nature of the complaint.
14 Again, there is not a bright-line rule for when we
15 would do that.

16 The medical referrals, as we use the
17 term, is all about getting ICE rapid notification
18 of the complaint, not about a doctor reviewing it.
19 Because the proximate problem there is the
20 complainant presumably needs care, and that's what
21 we're concerned about.

22 And no one in the Office of Health

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1 Services is going to administer care. It is
2 always on ICE to provide the care or one of their
3 medical contractors.

4 Q Does OIDO also process complaints
5 regarding health or medical concerns for people in
6 detention?

7 A Yes.

8 Q Does OIDO handle those complaints
9 itself, or does it refer them elsewhere?

10 A It depends. They have the option to
11 handle directly, so an investigator or a program
12 assessor may choose to directly contact ICE or CBP
13 about those complaints. They can investigate
14 them. They can refer them straight over to the
15 component.

16 And then in some cases where there's a
17 particularly serious matter or perhaps a systemic
18 matter, I've asked that they share them with CRCL
19 because CRCL has the capability to do larger
20 investigations.

21 And that's one of the ways I've made
22 sure the office's work is complimentary, is to

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1 say, where we have systemic trends and larger
2 issues, CRCL will investigate those cases.

3 It also makes a lot of sense because
4 CRCL gets the lion's share of the complaints.
5 We've seen OIDO's complaint volume is small
6 compared to CRCL. So there's better data on the
7 CRCL side from which we can draw trend analysis.

8 Q Would it surprise you to learn that Mr.
9 Guy testified at his deposition that all health
10 and medical issues are referred from OIDO to CRCL?

11 MR. DAVIS: Objection, form.

12 A It wouldn't surprise me. There's a lot
13 of ways that one could describe the processing,
14 but it is the case that OIDO has the ability to
15 handle medical complaints. But as I said, there
16 are cases where they will send them over to CRCL
17 because that workload is well established.

18 There's a particular contractor who
19 handles it -- excuse me -- handles it almost as a
20 full-time job.

21 Q Do you need some water?

22 A No, I have. I'm okay.

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1 produced or will be producing.

2 Q Is there a specialized protocol
3 different from what we've already been discussing
4 when the complaint relates to a death in DHS
5 custody?

6 A Yes, there is. The previous agreement
7 and process before the RIF is still in place. ICE
8 or CBP sends me personally a notification of the
9 death, and they CC our group internal mailbox so
10 that the record is properly saved and maintained
11 in our corporate system.

12 And I read the circumstances around the
13 death. There is usually a pretty detailed rundown
14 from ICE or CBP as to the circumstances of the
15 death and actually a history going back to the
16 first time the United States encountered this
17 individual, often in a law enforcement context or
18 in a legal immigration context.

19 So you have the whole rundown of their
20 history, and then you have a pretty good write up
21 of what the circumstances of the death were. And
22 that is just the notification. And the

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1 understanding is that soon thereafter, a coroner's
2 report will follow up with the medical
3 documentation of the body and their assessment of
4 the circumstances of the death.

5 Q And who else do you coordinate with on
6 investigating the circumstances of deaths in
7 custody?

8 A So I will coordinate with any of my
9 employees, I will talk it over with counsel, and
10 where needed, I -- I bring in the Office of Health
11 Services.

12 Q Have you investigated any deaths in
13 custody since taking on your role as acting CRCL
14 deputy?

15 A No.

16 Q To your knowledge, have there been
17 deaths in custody since you took on that role?

18 A Yes, there have been. As of a couple of
19 days ago, there were about 22 deaths in custody.

20 There is some debate as to what
21 constitutes a death in custody. But the way I'm
22 looking at it, there are about 13 or 14 in

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1 facilities, and then that broader group of
2 individuals who are killed when involved with ICE
3 or CDP in pursuits and such brings that number to
4 about 22 since March.

5 Q And if you have not personally
6 participated in investigations of those deaths,
7 have you reviewed reports of investigations
8 conducted by others?

9 A Yes. So I have read all of the
10 summaries. I have looked at all the documents
11 produced by ICE and CBP. I have read every page
12 of every single one myself.

13 And keeping in mind that the report
14 takes time to generate, so I am not in receipt of
15 22 full deaths with autopsy reports. I don't know
16 how many I have. Maybe 10 currently in my
17 possession, and I have not found cause to
18 investigate thus far.

19 Q Is the figure of 22 that you just gave
20 an increase from the number of deaths in custody
21 in past years, to your knowledge?

22 A It is an increase, but it is lower per

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1 capita of detainee.

2 Q And if you haven't conducted any
3 investigations, I assume it is fair to say you
4 haven't made any recommendations for changes in
5 policy based on the reports you have reviewed? Is
6 that right?

7 A Correct.

8 Q Is there a particular protocol when a
9 complaint is received that involves an allegation
10 of physical or sexual abuse in detention?

11 A I wouldn't say it is a different
12 protocol, but there is a prioritization that I
13 have directed my staff to put around such
14 complaints. Just like CRCL before the RIF, there
15 is always a prioritization. We cannot investigate
16 every single complaint.

17 And one of my areas of focus have been
18 sexual assault and use of force.

19 Q Can you estimate how many complaints of
20 sexual assault you have received since becoming
21 Acting CRCL Deputy?

22 A I cannot. But, again, that is a number

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1 we have.

2 Q Is there an estimate of the number of
3 complaints involving use of force?

4 A No. But, again, we do track it. It's
5 broken out and categorized in the system.

6 Q Are there any open investigations of
7 either of these types of complaints?

8 A Yes.

9 Q Can you give an estimate?

10 A It's in the dozens. That is the best
11 I -- I don't know off the top of my head, again,
12 that kind of break-out we have.

13 Q And have any recommendations been made
14 to components based on these investigations?

15 A Not yet. It's early days consistent
16 with CRCL taking 6 to 18 months to issue a
17 recommendation from the time they received a
18 complaint.

19 The complaints I am in receipt of, I
20 have only been looking at them for a few months,
21 so I am not ready to issue recommendations. But
22 after doing 22 inspections from OIDO and a number

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1 of CRCL facility inspections, trends are starting
2 to emerge.

3 And there are ideas that my staff
4 brought to me, and we are working on
5 recommendations. But everything is still at the
6 deliberative stage right now.

7 Q Is CRCL involved in conducting training
8 on PREA requirements --

9 A Yes.

10 Q -- for ICE?

11 A I'm sorry. Yes.

12 Q And what does that training entail?

13 A That training entails my attorneys
14 training anyone in the department as to what the
15 law is. I know ICE and CBP separately have
16 trainings that we have reviewed and that I have
17 had my counsel review as to what those
18 requirements are for PREA and how they should
19 handle PREA-type cases.

20 So CRCL is a, quote/unquote, sponsor of
21 that training. And it is in the training system
22 that we use in DHS, and I'm fairly certain all of

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1 ICE and CBP are required to take it.

2 Q And as new ICE and CBP employees are
3 onboarded, do you know how soon they're required
4 to undergo that training?

5 A I don't know.

6 Q Returning to the web portal that we
7 discussed previously, do you know if family
8 members or other representatives are able to lodge
9 complaints on the web portal for someone else?

10 A They are. But they need to accompany
11 the complaint with a signed consent form.

12 Q Is there a particular form of consent
13 form that they need to use?

14 A Yes. It's the -- well, they don't have
15 to use it for OIDO. I believe it's not specified
16 with CRCL. It is specified to use the G-28, which
17 is a standard form for this purpose in the
18 immigration ecosystem.

19 Q So if a family member or some other
20 third party is not an attorney, would they be able
21 to complete a G-28 form?

22 A Yes. It's for a representative of any

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1 kind. Our standards are somewhat different from
2 USCIS, so we're using the G-28 form because it's a
3 standard form. And yes, you do not need to be an
4 attorney to complete that form.

5 Q If a complaint is submitted by a third
6 party that does not include a signed G-28 form,
7 will that complaint be processed?

8 A No.

9 Q Will the individual who submitted the
10 form be notified about the status of their
11 complaint?

12 A Yes. They'll likely get a letter
13 saying, we're not going to look into your case
14 because it didn't have the requisite form
15 attached.

16 MS. GILBRIDE: No. We've used this one
17 before, but I'm not sure which number it is.

18 MS. DECKER: Let me take a look. Oh.
19 We haven't used it as an exhibit before.

20 MS. GILBRIDE: We haven't.

21 MS. DECKER: Oh. Wait. I --

22 MS. GILBRIDE: The first day.

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1 MS. DECKER: We did. Let me look.

2 MS. GILBRIDE: I know it -- one moment.

3 I believe it's 16.

4 (Exhibit 16 was marked for
5 identification and is attached to the transcript.)

6 BY MS. GILBRIDE:

7 Q Are you familiar with this document?

8 A No. I don't believe I've seen this
9 before.

10 Q If a third party submitted this form
11 instead of the G-28, would their complaint be
12 processed for CRCL?

13 A Yes. I believe we would not kick it
14 back if this form were properly completed. I
15 think that is something that my CRCL contractors
16 would probably come to me for guidance on. And I
17 would say that if the form is properly completed,
18 we could accept it.

19 What we're using with the G-28 is that
20 standard DHS form. This, to me -- again, I
21 haven't seen this, and I'm not seeing some of the
22 indicia of a standard DHS form like the seal and

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1 the usual stationary. It's not to say that it's
2 not -- or an illegitimate form. But the point is
3 I'm using what is typically used in the
4 immigration context because it's a DHS form.

5 But, again, if this were properly
6 completed, this would not result in a kickback, or
7 it should not result in one.

8 Q And we talked about CRCL no longer
9 accepting complaints submitted via mail. If
10 someone does submit a complaint via mail, would
11 any sort of response be sent back to that
12 individual notifying them of the status of their
13 submission?

14 A So if mail reaches us now, we are taking
15 it and logging it and acting on it like we would
16 any other complaint. However, we've removed the
17 address from the website in an attempt to end mail
18 submissions, and I am working with our facilities
19 staff to properly end those mail stops so that
20 individuals would then receive mail back so they
21 know not to rely on that process.

22 But if mail is received today -- and it

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1 is being received every day -- we are logging it
2 and treating those complaints like any other.

3 MS. GILBRIDE: All right. We've
4 definitely used this one before, so let me have
5 one second while I figure it out. Make sure this
6 one comes in 18.

7 MS. DECKER: 18?

8 MS. GILBRIDE: Uh-huh.

9 (Exhibit 18 was marked for
10 identification and is attached to the transcript.)

11 BY MS. GILBRIDE:

12 Q I'll give you a minute to review this
13 document, Mr. Sartini.

14 (Pause.)

15 Q What does this document appear to be?

16 A It appears to be a letter to complainant
17 [REDACTED] from May 3, 2023, from CRCL.

18 Q And is it still CRCL's practice to send
19 an acknowledgment letter like this when a
20 complaint is received?

21 A Yes.

22 Q Are there any differences that you would

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1 workflows built into the system different to each
2 complaint type, and some of them have these
3 intermediary steps that require documents to be
4 uploaded to the system.

5 Q Okay. We are done with that document.

6 MS. GILBRIDE: This is 57.

7 MS. DECKER: 57.

8 (Exhibit 57 was marked for
9 identification and is attached to the transcript.)

10 Q Did you get a chance to review this
11 document?

12 A I've reviewed it.

13 Q What does this document appear to be?

14 A A letter from CRCL dated September 10,
15 2025, to Complainant [REDACTED] indicating
16 that we are not pursuing her complaint further.

17 Q What's the basis given in this letter
18 for no longer pursuing the complaint?

19 A That the alien has been removed and was
20 removed two years ago.

21 Q And to your knowledge, how long has it
22 been CRCL policy to stop investigating a complaint

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1 when the individual referenced in the complaint
2 is -- has been removed or is out of custody?

3 A Since Mr. Hemenway and I were appointed.

4 Q Why did you make that change in policy?

5 A Because when we look at the most
6 efficient use of CRCL resources, however much
7 staff we have, it doesn't -- we are not able to do
8 anything for aliens who are removed. They are no
9 longer subject to CRCL jurisdiction. And,
10 therefore, it makes the most sense to focus
11 resources on the individuals still in the United
12 States.

13 That does not preclude us from, as we
14 do, storing all the information and tracking for
15 trends and analysis and reporting and
16 recommendations based on the content of those
17 complaints.

18 Q So in your understanding of CRCL's
19 statutory requirements, is CRCL focused on
20 redressing harms experienced by individual
21 complainants?

22 A That is one area that CRCL has in its

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1 statutory requirements. Yes.

2 Q You mentioned that CRCL makes policy
3 recommendations to the components of DHS regarding
4 issues of civil rights and civil liberties. Have
5 there been any policy recommendations made to any
6 DHS components since you assumed the role of
7 acting deputy?

8 A Not discrete recommendations as such.
9 We have been asked to review and approve or make
10 edits to any number of documents that have been
11 proposed as policies within DHS. We are a regular
12 part of the policy clearance process.

13 And I sit on the various boards, which I
14 believe I have stated in my declarations. But
15 there is a privacy review board; there is an AI
16 council; there is various watch-listing rules
17 created by several of our components that I
18 all-clear.

19 And so in that way, I am making policy
20 recommendations on particular artifacts as
21 presented to me by the components, and I do that
22 in coordination with Mr. Hemenway. But there is

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1 not a policy recommendation memo that I have
2 issued yet or that he has issued.

3 Q What about recommendations based on
4 investigations of complaints? Have you issued any
5 recommendations based on investigations of
6 complaints?

7 A Not formally, but there are several in
8 draft. There have been informal communications
9 between my investigator and the component saying,
10 we are seeing this, you should do that, or the
11 like. And they are informing larger
12 recommendation memos that are still under
13 deliberation.

14 Q And can recommendations be made based on
15 an investigation that has been closed?

16 A Of course.

17 Q How would the investigator have the
18 information to make those recommendations if they
19 have ceased investigating the complaint?

20 A Well, the investigators and the
21 contractors all have access to all the data in the
22 case management system at any time. All one has

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1 to do is query the system by whatever parameter,
2 and it will be there.

3 So an example might be if the
4 investigator has a live complaint in front of
5 them, and they think they saw something like this
6 from a month ago, but they know we didn't open the
7 investigation, they can go search for those
8 parameters, find it, choose to reopen it, use it
9 as background information.

10 They can -- out of their own interest --
11 actually, I think one of our contract
12 investigators is doing this now. He has several
13 live complaints in front of him and is querying
14 the system to see what the universe of similar
15 complaints from a particular facility look like in
16 our system.

17 So the fact that we may have not chosen
18 to investigate the majority of them, for
19 example -- and, again, like CRCL before the RIF
20 only having investigated a minority, a small
21 minority percentage of the complaints, most of
22 them are going to be closed with no action. But

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1 they remain available to this investigator to see
2 what that universe that we have received looks
3 like. It's a valuable data set for us, whether or
4 not we investigate it.

5 Q And the information you would have for
6 those prior investigations would consist of
7 anything that the complainant sent to you and
8 anything you subsequently requested; is that
9 correct?

10 A Yes. All records, all documents are
11 attached to the case file in the system, including
12 physical mail is scanned and saved.

13 Q Will CRCL request additional information
14 from components like ICE or CBP only in those
15 cases where it opens a formal investigation?

16 A Not necessarily. But I think that is --
17 at the point we are requesting documents from a
18 component, I consider that an open investigation
19 and call it a formal investigation. To me, that
20 term doesn't mean anything.

21 But yes. If we are querying a component
22 for documents, that's a complaint we're likely

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1 query the system. I think that this is a regular
2 step in the process. We're querying, again, for,
3 what is the universe of complaints like this?

4 And that's often where we find the
5 trends for a facility that we might want to focus
6 on if we see that there are a lot of medical
7 complaints from a certain facility. And we will
8 do that as part of the investigation.

9 But the main first step is always
10 requesting documentation from the component for
11 obvious reasons. We're looking for evidence that
12 it happened, and the component's going to be in
13 receipt of that evidence or not. But if it does
14 exist, the component is the logical first place to
15 go.

16 Q So does the process that you've just
17 been describing differ in any material respect
18 with regards to investigations of Section 504
19 complaints?

20 A I wouldn't say it's substantially
21 different. The difference there is we know we
22 have an obligation to investigate everyone. We

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1 know we're on a 180-day clock. And there is, I
2 would say, more OGC involvement at the outset of
3 that complaint.

4 But no. The process is generally the
5 same.

6 MS. GILBRIDE: This would be Exhibit
7 58?

8 MS. DECKER: Yes.

9 (Exhibit 58 was marked for
10 identification and is attached to the transcript.)

11 BY MS. GILBRIDE:

12 Q Are you familiar with this document?

13 A I don't recall all the details. But I
14 did review it, and I did sign it. So, yes, I have
15 seen it before.

16 Q And as you said, you signed it. What
17 level of involvement do you -- strike that.

18 How many determination letters on
19 Section 504 complaints have you signed since
20 you've been in your role?

21 A I don't recall. That is a number that
22 we do have, and I think we are producing. I think

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1 it's at least a dozen, maybe quite a bit more than
2 that. But I don't recall.

3 Q And do you sign all of the Section 504
4 determination letters?

5 A Yes.

6 Q What does your level of review and
7 involvement with those complaints look like before
8 signing them? Or -- sorry -- with those
9 determination letters look like before signing
10 them?

11 A So at the very beginning, I make the
12 determination to both open an investigation and to
13 pursue it as a 504 investigation vice VI 345
14 complaint, and that decision is informed by
15 counsel.

16 And then the investigators will
17 investigate and compile the documentation. And
18 they will present me with the final determination
19 and written letter after consulting counsel, but
20 before it gets to me.

21 And then I will review it. I will ask
22 any questions of the investigator and counsel if I

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1 have. And if I have, those questions are
2 answered. And if I don't have, I sign it, and we
3 reissue it.

4 Q Do you recall whether you had any
5 questions about this particular determination
6 letter?

7 A I do not.

8 Q I'm turning your attention to the third
9 page of the letter. There's a Bates number 22597.

10 A Yes.

11 Q Item C: ICE did not discriminate
12 against your client?

13 A Yes.

14 Q Do you remember reviewing the legal
15 analysis in this section of the determination
16 letter?

17 A I don't remember when I -- I was
18 reviewing it, but it looks familiar to me.

19 Q And do you believe that the legal
20 analysis in this letter is adequate?

21 A Yes.

22 Q Looking to Section Roman IV, Right to

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1 Appeal, the letter outlines the amount of time
2 that the complainant has to appeal. Have you
3 participated in any appeals of Section 504
4 complaints since you've been in your role?

5 A No. To my knowledge, we haven't
6 received any.

7 Q And what is the process for handling an
8 appeal, should you receive one?

9 A Those will be looked at manually.
10 Everyone will be looked at. And it is going to
11 result in a conversation between the investigator,
12 my counsel, and me.

13 And at that point, we will determine who
14 the appropriate authority is to review the appeal.
15 It would not be me. It would likely be Mr.
16 Hemenway.

17 Q In the time that you have been acting as
18 CRCL Deputy, do you know whether any of the
19 determination letters on Section 504 complaints
20 have concluded that the statute was violated?

21 A I don't believe any have. But, again,
22 that's data that we have available.

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1 Q We're done with that exhibit.

2 MR. DAVIS: Just for purposes of the
3 record, I don't know if that document or the last
4 one, the exhibit number was said, just for clarity
5 in the transcript later.

6 MS. COOGLE: Oh, it was 58.

7 MR. DAVIS: Okay.

8 MS. DECKER: The previous one was 57.

9 MR. DAVIS: Okay.

10 MS. GILBRIDE: And this one is 59.

11 MS. DECKER: Yes.

12 (Exhibit 59 was marked for
13 identification and is attached to the transcript.)

14 Q I'll give you a moment to review that
15 document.

16 A Okay.

17 Q And what is this document?

18 A It is a determination letter from me to
19 Complainant [REDACTED] dated August 29,
20 2025, regarding the complainant's 504 complaint.

21 Q As a preliminary matter, does it appear
22 to you that this determination letter was timely?

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1 A No.

2 Q Do you know approximately how many of
3 your determination letters on Section 504
4 complaints have been issued within the 180-day
5 timeline?

6 A I don't know the number, but I know that
7 all 504 complaints received since I have been in
8 the position are timely.

9 I note that this letter was already late
10 before the RIF even happened, this complaint. It
11 would have been late.

12 And so all of the late 504s that I
13 inherited upon assuming my position, we are
14 getting to them. I think we've gotten to all of
15 them. I could be wrong about that. But all of
16 the ones that have come in since I've been in the
17 position have been addressed timely.

18 Q And how do you prioritize new complaints
19 coming in as opposed to the backlog that you
20 inherited after the RIF?

21 A We take them as they come. So it is a
22 FIFO, first-in, first-out process.

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1 345s.

2 Actually, it's more than dozens. It's
3 probably at least 30 or 40.

4 Q Okay. Other than receiving and
5 investigating complaints, what other statutory
6 functions does CRCL have?

7 A We provide training on any number of
8 topics. That is, I believe, a required function,
9 but it is something we're doing. That's on PREA;
10 504; 345, generally; 1367 protections regarding
11 disclosure of those protected by U and T visas and
12 VAWA, Violence Against Women Act.

13 So all of those protections, we own
14 those trainings, and we make sure they're updated.
15 They're available in the training management
16 systems, and bespoke trainings are given by CRCL
17 on those topics as requested.

18 We advise on policy and review products
19 from all of the components. That is a function.

20 As I mentioned before, I sit on any
21 number of boards that the CRCL officer or deputy
22 are supposed to be on. We are on all of them,

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1 including the Use of Force Board, where quarterly,
2 we meet to review uses of force by ICE and CBP and
3 vote on whether or not the force was justified.

4 Then, of course, there's the EEO
5 function that is required and all that entails.

6 I may be missing a few. But those are
7 the main CRCL-required functions.

8 Q So you mentioned several areas in which
9 CRCL provides training. Who specifically provides
10 the training?

11 A My attorneys.

12 Q And are those attorneys contractors, or
13 are they attorneys within OGC?

14 A They're attorneys within OGC that are
15 funded by CRCL.

16 Q You mentioned training specific to 8 USC
17 1367. What does that training entail, and who
18 receives it?

19 A There is a requirement for -- it is
20 delineated either in our internal documents, like
21 a management directive. It may be regulatory.
22 But I know -- I'm almost certain all USCIS

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1 MR. DAVIS: Objection, deliberative
2 process privilege. Can you restate the question?
3 Actually, I can read it.

4 Witness can answer at a general level
5 but not any specific advice given.

6 A It has to do -- point 1 has to do with
7 their use of facial recognition technologies.

8 Q Okay. And who within CRCL provided this
9 advice?

10 A Myself and [REDACTED]

11 Q Was it provided verbally or in writing?

12 A Verbally.

13 Q Okay. And to your knowledge, have the
14 components adopted the advice that you gave?

15 MR. DAVIS: Objection, deliberative
16 process privilege. The witness can answer at a
17 high level of generality but not specific actions
18 taken.

19 THE WITNESS: Okay. Can I confirm on
20 how to -- because that's a little confusing.
21 Like, the answer is binary, the way the question
22 was worded. I can answer binary?

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1 A Yes.

2 Q Okay. And, again, without disclosing
3 the specific advice that was given, did your
4 advice comport with prior CRCL policy, or did it
5 diverge from prior CRCL policy?

6 MR. DAVIS: I think objection,
7 deliberative process privilege. Because that gets
8 into the substance of what the advice was. I'm
9 going to instruct the witness not to answer that
10 one.

11 Q All right. We may or may not return to
12 that topic area. But moving on to number 2,
13 Regarding Use of Artificial Intelligence.

14 First of all, what components within DHS
15 sit on the AI council?

16 A I don't recall. I think at a minimum,
17 it's management and it's various admin offices.
18 Privacy is definitely on the council.

19 I believe the major operational
20 components are on it, as well, but I'm not 100
21 percent sure. Most of the council time and work
22 is taken up and done by OCIO, chief information

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1 officer.

2 Q Okay. And what are the outputs of the
3 council meetings? Is there any written work
4 product that's generated?

5 A There is certainly meeting agenda and
6 minutes. But the substantive products are
7 typically use cases that are inventoried across
8 the department for how a component can ask AI to
9 solve a particular problem it has, and then the
10 council is inventorying these use cases and
11 figuring out, can we implement AI-based solutions
12 to them? Is there a common procurement vehicle we
13 can use to tackle more than one of these at a
14 time? Things like that.

15 So the output is usually that. It's,
16 like, a use case inventory, maybe a planning
17 document or two at a very high level.

18 Q What do you consider to be CRCL's
19 equities with regard to the AI council?

20 A To ensure that the utilization of AI
21 does not violate civil rights and civil liberties,
22 which is actually a particular focus of mine as

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1 someone who is skeptical of AI. I am not -- I am
2 skeptical.

3 So -- but at this point, the AI use
4 cases are so general and early, there is nothing
5 like that that I've had concern about yet.

6 Q So is it fair to say, given your
7 testimony, that CRCL is not itself utilizing AI in
8 any of its functions currently?

9 A Correct.

10 Q Moving on to number 3. What is the Data
11 Integrity Board?

12 A So the Data Integrity Board is run by
13 privacy with CRCL as a corollary or an auxiliary
14 lead of it. And we're making sure that data in
15 government information systems is used for its
16 intended purpose, and if it is ever shared, that
17 it is shared in accord with PTAs, PIAs, all of the
18 privacy documents that -- and the SORNs,
19 everything that accompanies government information
20 systems and govern how information is shared.

21 So the output of that kind of meeting
22 will typically be, this data was shared here with

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1 certain entities. Here is why we'd agree that
2 this is a legitimate reason to share it.

3 Q And at a high level of generality, what
4 sort of advice would CRCL give at these meetings,
5 or has CRCL given since you've come online?

6 MR. DAVIS: High level of generality.

7 A That civil rights and civil liberties
8 need to be protected and 1367 protections need
9 particular awareness.

10 Q Okay. Number 4, Regarding OIG
11 Conferences and Reviews. Are these held at a
12 regular interval or just as needed?

13 A As needed.

14 Q And how often has CRCL participated in
15 these conferences or reviews since you've been in
16 the role?

17 A I believe four times.

18 Q High level of generality, what was the
19 subject matter of the conferences or what was the
20 need for them?

21 A These were reviews of detention
22 facilities. There may have been one that was not,

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1 but most of them were OIG inspections of detention
2 facilities.

3 Q And who from CRCL attended?

4 A I did.

5 Q How did these meetings inform your work
6 going forward with regard to the portfolio of CRCL
7 complaints?

8 MR. DAVIS: Objection, deliberative
9 process privilege. Just at a very high level,
10 nothing specific.

11 A The investigations that OIG did were
12 thorough and well done, and they're a good model
13 for us to follow.

14 Q Next item, number 5, Reviewing
15 Management Directives and Instructions. How often
16 was CRCL called upon to review these sorts of
17 documents?

18 A As needed. And we're redoing all of the
19 directives and instructions within DHS, and
20 they're all sent to me for review.

21 Q So in total, how many of these sorts of
22 documents would you say you've reviewed since May?

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1 A Dozens. I don't know. And there are
2 more coming. But we're only at the beginning of
3 this project, so probably at least a couple of
4 dozen.

5 Q What does your review entail?

6 A My review entails making sure CRCL
7 equities are covered and, in particular, that any
8 functions that are required to reside in CRCL
9 remain and are not eliminated or moved somewhere
10 where they're not permitted to be.

11 Q Are there other types of policy
12 documents that you have -- you or others in CRCL
13 have had occasion to review for other components
14 of DHS?

15 A Yes.

16 Q And how many such policy documents would
17 you say you've reviewed or others within CRCL?

18 A Easily two or three dozen. I mean, any
19 policy that even remotely has a nexus to civil
20 rights and civil liberties, which is almost
21 anything the operational components do, comes to
22 CRCL as a required clearer of the policy or

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1 document.

2 Q Who has been responsible for reviewing
3 those policy documents?

4 A I am.

5 Q And have you suggested any changes to
6 any of the documents that you've reviewed?

7 MR. DAVIS: Objection, deliberative
8 process privilege. High level of generality, no
9 specific advice or recommendations given.

10 A A few. I've -- I've made minor edits to
11 a few.

12 Q And have you consulted with anyone else
13 in coming to those conclusions about what changes
14 to recommend?

15 MR. DAVIS: Just caution the witness
16 not to reveal attorney-client privilege or
17 anything deliberative.

18 A Only Mr. Hemenway.

19 Q To your knowledge, have the changes that
20 you've proposed been adopted?

21 A Yes.

22 Q Returning back to the interrogatory

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1 response, the next item is Review of Congressional
2 Correspondence. Who would be responsible for
3 reviewing inquiries from Congress and responding
4 to them?

5 A So for the department, all congressional
6 correspondence comes through the Executive
7 Secretariat, and then they are supposed to be
8 disseminating that mail to the appropriate office
9 for a response. Sometimes that happens.
10 Sometimes it does not.

11 But for CRCL, I am the one -- department
12 policy requires clearance and drafting at the
13 Chief of Staff level and above. And so I am
14 handling that in conjunction with Mr. Hemenway.

15 Q Have you reviewed any congressional
16 inquiries?

17 A Yes.

18 Q How many, approximately?

19 A Maybe about five or six.

20 Q And have you consulted with Mr. Hemenway
21 about those inquiries?

22 A Yes. And I'm required to. Because if

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1 they're addressed to the Secretary and for her to
2 sign it, the memo to her to sign the response must
3 come from him, not me.

4 Q Have you responded to any inquiries?

5 A Yes. That --

6 Q All five that you mentioned having
7 reviewed have been responded to?

8 A I believe so. We don't -- if we're in
9 receipt of a congressional letter, we don't ignore
10 it.

11 Q And next item on this list, Giving
12 Guidance on Medical and Religious Accommodations,
13 would that be included in the review of written
14 policies that you mentioned earlier, or is this
15 something separate?

16 A Yes. But in this case, we are the
17 originator of those policies.

18 Q And have you drafted new policies since
19 taking on your role as Deputy CRCL Officer?

20 A Yes.

21 Q How many such policies?

22 A Related to medical and religious

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1 accommodations, probably four. There is at least
2 one change generally to the medical; there is one
3 about religious; and then there have been maybe
4 three component-specific religious accommodation
5 policies that CRCL issued, that Mr. Hemenway
6 issued to those components.

7 Q What role did you have in creating those
8 policies?

9 A I communicated to the Office of the
10 General Counsel that there were changes needed to
11 the existing policies and a lot of clarification.
12 That was requested by our customers, meaning the
13 components and our headquarters employees.

14 And so we needed to issue new guidance
15 both to issue clarification and to accommodate the
16 guidance coming out from OPM and the White House
17 as to various changes within the workforce at the
18 beginning of the administration.

19 Q Did those policy changes involve the
20 rescission of existing policy guidances that had
21 been in effect?

22 MR. DAVIS: Objection, deliberative

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1 process privilege and possibly attorney-client
2 privilege. You can answer at a very high level.

3 A Yes.

4 Q Last item on this list, Annual Use of
5 Force Review for CBP in August. What was CRCL's
6 role in that annual review?

7 A I was a member of the board, and the
8 board has seven or eight voting members on it.
9 And so I and the other members voted on, I think,
10 the ten instances of force that CBP OPR presented
11 to us over that two-day span, and we voted on
12 whether or not the uses of force were legitimate
13 or within policy.

14 Q And what is the consequence if the board
15 concludes that a use of force was not legitimate?

16 A It depends on the case. But the board
17 then votes on the order of magnitude of the
18 offense, is my understanding of it.

19 The particular determination is a
20 supervisory and chain-of-command issue, but they
21 need that determination from the board to proceed
22 if it was not found to be legitimate. But the

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1 details are not determined by the board.

2 Q In that August review, were any of the
3 ten uses of force found to be legitimate?

4 MR. DAVIS: Objection, deliberative
5 process privilege. I'm going to instruct the
6 witness not to answer that question.

7 MS. GILBRIDE: So if that was the
8 conclusion of the board's review, it seems that
9 the deliberative process has concluded.

10 MR. DAVIS: Not necessarily. Is there
11 any follow-up from the board or reports?

12 THE WITNESS: Yeah. There's supposed
13 to be a public report issued out of that meeting.
14 I don't know that it's been made public yet.

15 MR. DAVIS: So my objection stands, and
16 my instruction stands.

17 Q You mentioned earlier that there were
18 quarterly use of force reviews. Are those a
19 different process than the process that you've
20 just described for CBP?

21 A No. It's the same thing.

22 Q So does that process happen once a year

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1 or four times a year?

2 A My understanding is it's supposed to
3 happen four times a year.

4 Q And is there any analogous review for
5 any other components within DHS besides CBP?

6 A There is one for ICE, as well.

7 Q And has that occurred since you have
8 been in your role with CRCL?

9 A I am not aware that it has. I have not
10 been invited to one.

11 Q Are you familiar with 8 USC Section
12 1357?

13 A The number? Not by the -- not by the
14 citation, but I may be familiar with the content.

15 Q Are you familiar with sometimes
16 colloquially referred to as 287-G?

17 A Yes.

18 Q And what is your understanding of CRCL's
19 role with regard to 287-G?

20 A CRCL has to ensure that local -- state
21 and local law enforcement who are performing work
22 on behalf of the federal government or to whom we

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1 A Give me a moment, please, to read that
2 bullet. Because that does not -- okay. Can you
3 ask the question again?

4 Q Is it your understanding that the
5 decision to only accept complaints via the portal
6 was made before you became Deputy Ombudsman?

7 A Yes.

8 Q Do you know who made the decision?

9 A I do not.

10 Q Do you agree with the decision?

11 A Yes.

12 Q Why do you think it is a good idea to
13 only accept OIDO complaints via the online portal?

14 A For the sake of efficiency: It reduces
15 administrative lag, data input errors, and allows
16 for better tracking of correspondence or perfect
17 tracking of correspondence.

18 Mail is sloppy and gets lost, takes too
19 long, and detainees are moved around. And so an
20 address that was the address prior may not be the
21 best way to reach them by the time we're ready to
22 act on the complaint.

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1 Q Before the RIF and the staffing changes
2 at OIDO, do you know what the most common method
3 for receiving complaints by OIDO was?

4 A I think I do.

5 Q What do you think it was?

6 A Case workers in the facilities.

7 Q And under the way that OIDO is currently
8 organized, can detained individuals submit
9 complaints to case workers in the facilities now?

10 A No.

11 Q Is it your understanding that all
12 detained individuals have access to the web portal
13 to file complaints?

14 A Yes.

15 Q How do you understand that they can file
16 complaints electronically?

17 A They have access to tablets, which have
18 access to wifi, and that way they can access the
19 portal and submit a complaint.

20 Q And is it your understanding that all of
21 the approximately 200 detention facilities have
22 tablets in the facilities?

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1 A I don't know if they all do, but neither
2 did every facility have a case worker in it.

3 Q In the facilities that do have tablets,
4 do you know if there is a one-to-one
5 correspondence between number of detained
6 individuals and number of tablets?

7 A I don't know if there's a one-to-one.
8 It's not my understanding that there is.

9 Q Do you have an understanding of what the
10 ratio of detained individuals to tablets is?

11 A No.

12 Q Do you know whether there are
13 limitations placed on internet access using the
14 tablets?

15 A I don't know.

16 Q Do you know if people who are in
17 solitary confinement in detention have access to
18 tablets?

19 A I don't know. I know we receive
20 complaints from people in solitary confinement,
21 though.

22 Q Are there any other ways besides tablets

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1 that you believe individuals in immigration
2 detention can access the portal?

3 A They can access it through relatives,
4 representatives, et cetera, filing on their
5 behalf. And they are visited regularly by those
6 types of individuals and NGOs and religious
7 workers, and those individuals can file on their
8 behalf.

9 Q And what would an individual have to do
10 in order to file on behalf of a detained person?

11 A We would need a signed form indicating
12 they had permission to do so.

13 Q And does that form need a wet signature
14 from the detained individual?

15 A No. But it does need something that
16 would have the probative value of a wet signature,
17 so I don't exactly know what that would be. It
18 would be a case-by-case situation. But it doesn't
19 have to be a wet signature.

20 Q Do you know if instructions are posted
21 in detention facilities informing people of the
22 existence of OIDO and how to access the portal?

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1 Q So in CRCL context, one of the examples
2 you gave was an urgent medical referral. Would
3 the same steps be taken with an urgent medical
4 referral to OIDO?

5 A Yes.

6 Q Are there any other circumstances
7 specific to OIDO besides medical issues that would
8 tend to result in a referral?

9 A Any type of issue could result in a
10 referral. Again, there's a prioritization around
11 use of force, sexual assault, suicidal ideations.

12 Q And what sorts of situations would lead
13 to opening of an investigation by OIDO?

14 A The same. I mean, again, any one
15 complaint can lead to us investigating, but there
16 is the prioritization for the aforementioned
17 categories.

18 Q So what I'm trying to get at, if you are
19 able to answer, is, what would lead something to
20 be investigated instead of referred? Are there
21 any particular criteria that would make an
22 investigation more likely?

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1 A Allegations alleging sexual, physical
2 assault, something like corrupt contractors or ICE
3 and CBP officers and agents, something that it
4 would be inherently problematic for the component
5 to investigate themselves, would almost always be
6 something CRCL retains for investigation. Or
7 OIDO. I'm sorry.

8 Q And you did mention earlier that certain
9 issues are referred from OIDO to CRCL. What types
10 of issues would warrant a referral to CRCL?

11 A Particularly serious matter where a
12 medical -- not a medical -- where a sexual assault
13 has occurred or a grave medical matter where CRCL
14 is more, because of the volume of their work,
15 involved in doing it.

16 We would ask -- I would ask OIDO case
17 workers to confer with their federal colleagues in
18 CRCL and do any number of things in an
19 investigation that you would do in the course of
20 investigating.

21 Q And similar to what we discussed with
22 CRCL, when a referral is made to a component --

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1 Q When OIDO makes a referral to ICE, is
2 that referral at the headquarters level? Or who
3 at ICE is the matter typically referred to?

4 A It is referred at the SES level to ICE
5 ERO headquarters.

6 Q And to your knowledge, when OIDO had
7 case managers present in detention facilities,
8 were they often able to interface directly with
9 detention facility staff to address problems that
10 detainees were having?

11 A That is my understanding.

12 Q Would you describe that as a more direct
13 way of addressing certain types of day-to-day
14 problems, such as needing to have a sick hall or
15 needing access to a blanket in a cold facility?
16 Is it easier to address those problems at the
17 facility level?

18 MR. DAVIS: Objection, vague.

19 A Not necessarily. What I like about the
20 arrangement we have now is I get SES-level
21 leadership assurance that something is going to be
22 taken care of, whereas there isn't great

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1 visibility on what happens in the field when there
2 is 120 case workers spread throughout the country.

3 I like being able to get assurance from
4 the highest level that leadership is ensuring
5 something is being taken care of.

6 Q And when leadership at ICE assures you
7 that they're going to take care of something, is
8 your understanding that their next step might
9 involve going down the chain of command to someone
10 at the facility to actually act on that request?

11 A I don't know what they do, but I assume
12 someone in the facility would have to resolve it.
13 Yes.

14 A All right. Got another exhibit.

15 (Exhibit 64 was marked for
16 identification and is attached to the transcript.)

17 Q So I will represent to you, Mr. Sartini,
18 that this is a collection of several documents
19 that were produced by DHS in response to our
20 discovery requests. So they're not all -- they're
21 several documents of the same type.

22 You can take a minute to review the

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1 A They were sent on the same date.
2 Because in this instance, we were clearing out the
3 backlog of cases that was sitting in the portal at
4 the time of the RIF.

5 And so whatever cases predated our
6 working the cases in the portal all received a
7 notice as of the same date that we issued a batch
8 set of notices for the cases that were being --
9 receiving a similar disposition.

10 Q How many of those backlogged cases
11 resulted in closures?

12 A I don't know.

13 Q How many of those backlogged cases that
14 received emails on or about September 19th were
15 referred to ICE ERO for further action?

16 A I don't know.

17 Q One -- you had mentioned that referral
18 to a component is something that's tracked in the
19 OIDO system. So would all of these complaints
20 that you've just reviewed that were referred to
21 ICE ERO be categorized in the same way in the
22 internal system?

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1 complaints about that particular facility before
2 you go.

3 And then inspecting the facility: Going
4 through the standards by category, because the
5 standards are divvied up into different categories
6 like health and hygiene and facilities and
7 emergency protocols, all of that. They're very
8 involved. There are hundreds of pages each. And
9 going through those standards with a checklist,
10 essentially, to inspect the conditions.

11 Q And the people conducting these
12 inspections are the three full-time employees and
13 two detailees at OIDO, correct?

14 A Correct.

15 Q Each of those individuals was onboarded
16 sometime in August, sometime this summer; is that
17 right?

18 A Yes.

19 Q And before beginning to conduct
20 inspections, what training did they receive?

21 A They were already trained, and I've
22 confirmed that. So two of the employees were from

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1 OIDO, and they're doing the same work they were
2 doing before. One of those individuals supervised
3 that work.

4 The third individual did this exact same
5 work for the biggest detention contractor.

6 And then one of the detailees did this
7 work, but for CBP internally.

8 And then I had the individual who was
9 trained -- who was a supervisor in the OIDO work
10 previously, trained one detailee who didn't have a
11 background explicitly in detention inspections,
12 although I believe -- I'm confident she worked for
13 the Bureau of Prisons doing similar work. So she,
14 again, also had a background in this.

15 So they were trained. And the quality
16 of their inspections shows that they are expert in
17 the field.

18 Q You mentioned that one of the OIDO
19 workers previously worked for a contractor. Which
20 contractor was that?

21 A GEO.

22 Q And is that one of the full-time

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1 employees that previously worked for GEO?

2 A Yes.

3 Q And the person who previously worked for
4 CBP, is that also one of the full-time employees?

5 A Yes. One detailee and one employee
6 worked for CBP.

7 Q And each inspection is conducted by a
8 single law enforcement specialist acting on their
9 own; is that right?

10 A No. Some are conducted by one. Some
11 are conducted -- have been conducted by two.
12 There are others that may be conducted by more.

13 Q And how is it determined what level of
14 staffing or what number of people to send on an
15 inspection?

16 A There isn't a bright-line rule, but the
17 size of the facility is an indicator of how many
18 staff we should send out. If we are conducting an
19 investigation in concert with CRCL to look at the
20 complaints they have on file for that facility,
21 that will be a multi-person investigation.

22 Q And you mentioned that the standards

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1 differ from one facility to another. Are the
2 employees conducting inspections given a chance to
3 familiarize themselves with the particular
4 applicable standards before going to the facility,
5 or is that something that they are expected to do
6 while they're on site?

7 A No. They're going out familiar with the
8 standards. We discuss it as a team before they go
9 out. We run through the standards and walk
10 through what that inspection should look like
11 based on the standard. And we make sure we know
12 the operative standard before we go out because
13 sometimes that's not obvious.

14 Q And for facilities that are under
15 contract, do the inspectors also review the
16 applicable contract terms before conducting their
17 inspection?

18 A Yeah. So as part of the on-site
19 inspection, there are a lot of documents
20 requested, logs, contracting documents. We have
21 the right to request medical evidence. We'll talk
22 to detainees, we'll talk to staff, leadership at

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1 the facility.

2 But, yes, contract review is part of
3 that.

4 Q You mentioned medical evidence being a
5 part of what is reviewed. Are any medical
6 personnel accompanying the law enforcement
7 specialists on their inspections?

8 A At the moment, we are taking medical
9 evidence and bringing it back for OHS to review.
10 But they are available if we wish for them to
11 accompany us in the future.

12 Q What about experts in environmental
13 conditions like mold and other potential
14 contaminants? Are they present for these
15 inspections?

16 A It is an area that our investigators are
17 aware of and have knowledge of. If they -- the
18 process right now is if they see something like an
19 industrial hygiene issue, that will be
20 photographed and then followed up separately. We
21 are not going out with industrial hygienists.

22 Q You mentioned that there are documents

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1 reviewed as part of the inspection. What types of
2 documents in particular are reviewed?

3 A For example, logs such as the feeding.
4 There are logs that are required to be kept when
5 detainees are moved, fed, given recreation time,
6 put into solitary confinement, hunger strike logs.
7 So all of those are reviewed, and then contracting
8 documents, medical documents.

9 I may be missing a few, but those are
10 the big ones.

11 Q Since you became acting deputy at OIDO,
12 have any unannounced inspections been conducted?

13 A No. And in keeping with past practice,
14 we are in touch with the facility shortly before
15 we go out.

16 My understanding of past practice is
17 they were in touch with the facility and did not
18 conduct truly unannounced inspections because it's
19 logistically difficult to do. And given the
20 amount of rioting that we are seeing around
21 detention facilities, I cannot in good conscience
22 send my people out without ICE or CBP knowing that

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1 they are coming.

2 Q How much advance notice do you give to
3 the facility before conducting an inspection?

4 A Typically a few business days, no more.
5 Some of the trips that are more intensive for us
6 need a little bit more planning, like if we're
7 going to travel far afield. But typically, the
8 standard right now is a few business days.

9 Q And how long does each inspection last
10 from the time that the employee or employees get
11 there? How long are they on site?

12 A It varies by the complexity and size of
13 the facility. So if it's a big facility, it will
14 be a multi-day. Right now, those are two full
15 days, those facilities.

16 If it is a smaller facility, like a
17 holding cell or a similar temporary-type facility,
18 both either temporary like a soft-sided facility
19 or temporary meaning that the detainee is meant to
20 be moved out of there in short order, that may
21 only be one day or a five-hour inspection. Our
22 shortest inspections so far have been about five

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Transcript of Ronald Sartini
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1 A No.

2 Q Are there any systemic issues that you
3 and your staff have identified in the months that
4 you've been in the role?

5 MR. DAVIS: Objection, deliberative
6 process privilege. You can keep it at a very high
7 level of generality, but not about specific things
8 that are subject to ongoing reports and
9 investigations.

10 A Yes. And they will be mentioned in
11 reports that are in draft.

12 Q Are you referring to reports in addition
13 to the annual report to Congress?

14 A Yes. I'm referring to inspection
15 reports, per-facility inspection reports.

16 Q And will those inspection reports be
17 made publicly available?

18 A I don't see a requirement that they be
19 made public in the statute. If my attorneys
20 advise me otherwise, then I will change that
21 position.

22 It's not to say we can't make them

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1 A Only what I had just discussed where we
2 can look at past inspections. I'm not aware of
3 open inspections that need to be formally followed
4 up on.

5 Q OIDO does have a statutory requirement
6 to annually report to Congress. What is the
7 status of the 2025 congressional report?

8 A It is in draft. It will likely be
9 delayed because of the shutdown, but it will be
10 timely if you bump the end of the year out by the
11 length of the shutdown, which brings us to about
12 mid-February.

13 Q And do you know what the status of the
14 2024 OIDO report to Congress is?

15 A I do not. I searched the files of my
16 predecessors and can't find any evidence one was
17 drafted. And so at this point, I'm focused on
18 getting the current one out timely.

19 Q And I don't think I asked you previously
20 about the status of the CRCL annual report to
21 Congress. What is the status of that report?

22 A Same: Being drafted and should be on

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1 time if you push the deadline out by the length of
2 the shutdown.

3 Q And the presence of law enforcement
4 specialists at detention facilities, do you have
5 any plan to have them visit facilities on a
6 regular basis outside of conducting inspections?

7 A No.

8 Q Before we turn our attention to CISOM, I
9 want to go back and ask you a question about -- a
10 couple of other staffing questions that are
11 specific to CRCL.

12 So you have testified -- you had
13 testified that you have learned since being in the
14 role that it's possible to perform statutory
15 functions with fewer staff members than you
16 earlier anticipated. Can you describe -- because
17 the difference between your staffing plan and the
18 current staffing is particularly drastic for CRCL.

19 So can you describe why you believe it's
20 possible to conduct all the statutory functions of
21 CRCL with just two full-time employees besides
22 yourself and Mr. Hemenway?

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1 MR. DAVIS: Objection, form.

2 A Because we are. I think the evidence
3 speaks for itself. I can demonstrate that we're
4 performing all of the required functions with the
5 current mix of staff and contractors and OGC
6 support.

7 Q Would you say that the role of OGC has
8 been particularly large for CRCL compared to the
9 two other offices?

10 MR. DAVIS: Objection, vague.

11 A There is more OGC work to be done at
12 CRCL, as was always the case. There were never
13 attorneys assigned to CISOM, or that were
14 leveraged by CISOM, I should say. OIDO had less
15 attorneys assigned to it than CRCL.

16 And I think that ratio remains the case.
17 CRCL has a lot more work that involves OGC review
18 than the other offices always has, and the ratio
19 is probably the same.

20 MS. GILBRIDE: Let's see if I can find
21 the page number I want.

22 Q Okay. I'd like to turn your attention

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1 Q Okay. What happens when CISOM receives
2 a request? So this is the same question I've
3 asked for the other two offices. What is the
4 first step in the review process?

5 A We have our staff look at the complaint
6 or look at the request for assistance. And based
7 on our prioritization, they choose to either not
8 act on the request or to tee it up in a
9 spreadsheet that we eventually batch and send over
10 to USCIS.

11 If there are questions that we can
12 answer, we will answer them straight away if we
13 can do that with our access to USCIS systems
14 without asking USCIS.

15 Q So you said that there are certain
16 requests that you would take no further action.
17 What types of requests would fall into that
18 category?

19 A A good example is cases where the
20 handling of those application types is in flux or
21 outright paused right now, which is a significant
22 number of form types, and they make up a

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1 significant portion of the requests that we
2 receive at CISOM.

3 It does not make sense to act on those
4 requests because we aren't going to be able to
5 give an answer; USCIS won't be either. And so it
6 doesn't make sense to respond to those requests
7 until there is more clarity on how they will be
8 handled by USCIS.

9 Q And if you determine that a request
10 falls in that category and that you're not going
11 to take any further action, is any sort of
12 correspondence sent to the requester informing
13 them of that decision?

14 A Yes.

15 Q And what about in the instance where
16 you're able to resolve the matter or give an
17 answer without referring the matter to USCIS?
18 What would be done in those types of cases?

19 A A message would go back to the requester
20 because, of course, that is in the nature of
21 closing out, would be informing them of the answer
22 to their question.

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1 Q And so for purposes of tracking, would
2 those, both first category where it's in flux and
3 there's nothing to be done, and the second
4 category where you're able to give an answer,
5 would they both be categorized the same way, as no
6 further action?

7 A No. Could you say your question again?
8 I think the second part was off.

9 Q Sure. So you described two situations
10 where you would not refer the matter to USCIS.
11 One is when there is no action to be taken because
12 the matter is in flux. The second category was
13 where you, at CISOM, are able to provide an answer
14 directly. Would those both be classified in your
15 internal database as no further action?

16 A Yes.

17 Q And what percentage of requests are
18 categorized as no further action versus being
19 referred to USCIS?

20 A I don't know other than -- consistent
21 with past practice, the majority are not responded
22 to.

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Conducted on December 5, 2025

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1 Q When you say responded to, do you mean
2 referred to CIS?

3 A Yes. Right.

4 (Exhibit 65 was marked for
5 identification and is attached to the transcript.)

6 Q What does this document appear to be?

7 A A complaint submitted -- or a request
8 for assistance submitted to CISOM on March 12,
9 2025, by [REDACTED] and the response
10 from CISOM or maybe just the automated receipt
11 response upon intake.

12 Q I'll give you a chance to review this
13 document --

14 A Yeah.

15 Q -- since it's somewhat lengthy.

16 A Yeah.

17 (Pause.)

18 A Okay.

19 Q So based on your review of the document,
20 do you know if this matter was categorized as no
21 further action or if it was referred to USCIS?

22 A I do. I can say that it was referred to

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1 USCIS and is still pending their response.

2 Q Okay. And based on the nature of the
3 request and based on your knowledge of these types
4 of requests, why was this in the minority of cases
5 that was referred to USCIS?

6 A I'm going to need a little bit more time
7 here.

8 Q That's fine.

9 A So similar to CRCL and OIDO, the
10 decision process starts out with our staff looking
11 at the complaints and making a determination. Not
12 all of these need my approval to go.

13 I can say the thought process here
14 probably was related to it being a 485, a question
15 about a 485 green card. That is a form type that
16 is being processed. It is a form type that is
17 significant, or it's the second most significant
18 that USCIS processes, I would say. So that puts
19 it at a higher likelihood of being referred.

20 And because the case will be more
21 durable in that if it's a visa question, that
22 issue may be resolved, or it may be overtaken by

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1 events by the time we get to it. But a green card
2 is not likely to be in that situation.

3 But beyond that, nothing stands out. It
4 is a judgment call. But it looks like a good case
5 to refer to USCIS.

6 Q So you referred to your staff. And just
7 to make sure I'm not missing anyone, your staff
8 for CISOM consists of your deputy, Mr. Gomez, and
9 one detailee; is that correct?

10 A Yes.

11 Q And you do not have any contractors
12 assisting with the work of CISOM; is that right?

13 A Correct.

14 Q Okay. So would the initial review and
15 categorization typically be done by the detailee?

16 A It would be -- it would be done by the
17 detailee or Mr. Gomez or myself. We have all
18 worked that queue at one time or another.

19 Q And another exhibit.

20 MS. DECKER: Is this Exhibit 66?

21 MS. GILBRIDE: Yeah.

22 (Exhibit 66 was marked for

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1 A No. No page or column numbers. If it's
2 IJ, that's probably towards the back.

3 Q It is towards the back.
4 (Pause.)

5 A Okay. It's on the last page. 9/9/2025.

6 Q Sorry to make you flip through that
7 entire thing. And I know you said that there's a
8 high volume of these complaints. Do you know when
9 someone at CISOM first had a chance to review this
10 request and decide what to do with it?

11 A I do not. That information may be in
12 one of these fields, but I do not.

13 Q And returning, I guess, your attention
14 away from the spreadsheet to the other document
15 that includes the case notes.

16 A Yes.

17 Q And if you look at page -- the page with
18 Bates number 21415.

19 A Okay.

20 Q What is that? There's a, I guess, a
21 copy of the notification that was sent to the
22 complainant or the requester. What does that

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1 correspondence indicate?

2 A That CISOM received the complaint or the
3 request for assistance on March 12th, 2025. And
4 on September -- well, this is dated September
5 19th. It says, We referred your correspondence to
6 USCIS. And we will let you know when we hear back
7 from them.

8 Q And in the recent months, as you've been
9 dealing with the sort of backlog of requests,
10 would you say a six-month interval between the
11 receipt date and the referral to USCIS is pretty
12 typical, or is that unusual?

13 A I believe that is typical, from my
14 understanding of the timelines that CISOM dealt
15 with before, based on my conversations with
16 Nathan.

17 Q All right. You can put that exhibit
18 aside.

19 (Exhibit 67 was marked for
20 identification and is attached to the transcript.)

21 Q What does this document appear to be?

22 A A request for assistance from 

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1 [REDACTED]. And the request seems to have been received
2 April 7, 2025. And it includes our receipt
3 response to him and our further response on
4 September 19th. It's saying that we've referred
5 his request to USCIS, and we'll let you know when
6 we hear back from them.

7 Q Okay. So noticing that both this
8 response to Mr. [REDACTED] and the other response we
9 were just looking at were both sent on September
10 19th -- and I can represent to you there were some
11 others we received in the discovery responses with
12 that same date -- is this a similar situation to
13 the situation with OIDO, where you were clearing
14 out a large number of requests from the time
15 period of the RIF all at the same time?

16 A Yes. The cases were all reviewed
17 individually.

18 And then what we do is we assign a --
19 you group them in a batch. You assign a status to
20 all of those similarly situated. For example, all
21 of those that we are going to send to USCIS, you
22 batch-mark them with that condition in the system.

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1 And then you batch-generate notices,
2 which is why the notice date may be different than
3 the date we actually sent it to USCIS. Because
4 the sending to USCIS is a manual action, but the
5 generation of the notice is a separate manual
6 action. And so that might have happened at a
7 different time.

8 Q And just one more of these, I promise.

9 (Exhibit 68 was marked for
10 identification and is attached to the transcript.)

11 Q What is this document?

12 A It appears to be the extract from our
13 case management system for the same [REDACTED]
14 case.

15 Q Okay. And on this one, I would like to
16 focus you -- and I don't know which page it's on;
17 I apologize -- but the column entitled Assigned.
18 This may be about halfway through.

19 A Okay.

20 Q What does that field refer to?

21 A It's a field that we don't quite use the
22 way our predecessors probably did. It just means

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1 the one going in and doing the automated or semi-
2 automated functions in the system.

3 Q Okay. So for example, putting together
4 the list of requests that were going to get that
5 same response we saw saying, Your matter has been
6 referred to USCIS, that's something he would have
7 been responsible for doing?

8 A Yes.

9 Q Okay. Okay. We're done with that
10 exhibit.

11 So once a matter is referred to USCIS,
12 does CISOM continue to have any involvement or
13 check-in role with USCIS?

14 A Yes. We have to, because the completion
15 is USCIS getting back to us, not getting back to
16 the requester. So it's a bit different from CRCL
17 and OIDO.

18 Q So what does that ongoing involvement
19 with USCIS look like? Are you meeting in person
20 or sending emails? What type of interaction do
21 you have?

22 A So there's different interactions for

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1 different things. For the cases, we are sending a
2 list of our requests and then pinging them if it
3 takes a while, which we've already pinged them for
4 some. And that is for the cases; that is the
5 nature of that interaction.

6 I meet with USCIS leadership regularly
7 to discuss policy issues and trends and topics of
8 the annual report.

9 Q And what sort of ongoing follow-up or
10 interaction do you have with the requester after a
11 matter is referred to USCIS?

12 A Typically nothing until we get the
13 response because there's nothing to say until we
14 receive the response.

15 Q Okay.

16 MS. GILBRIDE: Let's see where we are.
17 Exhibit 69.

18 (Exhibit 69 was marked for
19 identification and is attached to the transcript.)

20 Q I'll give you a chance to review this
21 document. Let me know when you're ready.

22 A Okay.

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1 A We have not received any responses from
2 USCIS yet, and I am in touch with leadership about
3 that. But we have not received any replies on any
4 particular case yet.

5 Q Okay. So you haven't had occasion to
6 give that sort of information to a requester so
7 far; is that right?

8 A Correct.

9 Q Okay. All right. Another exhibit.

10 MS. DECKER: Yep.

11 MS. GILBRIDE: Let me make sure I'm not
12 getting too --

13 (Exhibit 70 was marked for
14 identification and is attached to the transcript.)

15 Q I'll give you a chance to review this
16 one. It's rather lengthy.

17 A Okay.

18 Q So I'll represent to you this is a
19 document that was produced by the defendants to us
20 in discovery. What does it appear to be?

21 A A request for assistance sent to CISOM
22 by ██████████. And that seems to have been received

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1 Q Okay. Currently, what is the average
2 length of delay between a request coming in and
3 someone on your staff being able to review it?

4 A I believe consistent with past delays,
5 it's probably about three months, although I'm not
6 sure.

7 Q And are you continuing or are you
8 operating a first in, first out system in terms of
9 the order of review?

10 A It is, like the other offices, a
11 combination of first in, first out and
12 prioritization or categories.

13 In this case, that makes sense to focus
14 on if they are categories being actively worked by
15 USCIS.

16 Q Okay. So you mentioned I-485 green card
17 applications being one of those. What other
18 categories of requests are prioritized?

19 A Military, EB-5, naturalization, O-1.
20 And there's a couple of others that now escape me,
21 but that's most of them.

22 MS. GILBRIDE: All right. 71.

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1 assistance from [REDACTED].

2 Q Is there a response?

3 A I'll say the request seems to have been
4 received on August 12th of 2025. And there
5 doesn't appear to be a response here, although I'm
6 not sure what this first -- these first pages are.

7 So there is some sort of response, but
8 I'm not seeing any of the usual header information
9 on the response.

10 Q Okay. So this was a document that we
11 produced in discovery where the client's
12 information, name, and other identifying
13 information was redacted, which might be why
14 you're not seeing the typical header information.

15 But do you see the date of the response
16 on the email?

17 A Oh, okay. So yes. All right. Now, the
18 order's a little messy here, but the response
19 looks like it was received or the request was
20 received on 8/12, and we responded 9/11.

21 Q And what is the substance of the
22 response on 9/11?

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1 A We will not be taking further action on
2 your inquiry.

3 Q Okay. Is this standard language when
4 CISOM determines not to take further action?

5 A Yes.

6 Q And you mentioned that the determination
7 of taking no further action, that's the majority,
8 and that the referrals to USCIS is the minority.
9 Are there any other possible outcomes for a CISOM
10 request besides those two?

11 A Well, again, we might be able to respond
12 directly to the requester.

13 Q And if that is the case, then the email
14 would say more than just, we're taking no further
15 action?

16 A Yes. There would be a substantive
17 answer to the question. Yes.

18 Q And would you say of the cases that are
19 not referred to USCIS, what percentage have
20 concluded in just this more generic no further
21 action response versus a more substantive
22 response?

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1 A I don't know. That is a number that we
2 have. It is probably the majority.

3 Q Which would be the majority?

4 A That we are not taking action.

5 Q With no further substantive response
6 given?

7 A Correct.

8 Q Okay. And, again, can you walk us
9 through the reasons why you would decide to take
10 no further action and provide this sort of a
11 fairly cursory response?

12 A Well, there is never a bright-line
13 distinction. But generally speaking, I see this
14 as a humanitarian request, or the underlying
15 request to USCIS is based on a humanitarian
16 category. We have deprioritized those because
17 USCIS has deprioritized those.

18 And as has been made public, a good
19 number, if not all, of the humanitarian type of
20 requests are paused. And so it does not make
21 sense for CISOM to focus on humanitarian requests
22 because USCIS will not likely be able to give us a

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1 satisfactory response.

2 MS. GILBRIDE: Okay. 71.

3 (Whispered conversation.)

4 MS. DECKER: 72.

5 (Exhibit 72 was marked for
6 identification and is attached to the transcript.)

7 BY MS. GILBRIDE:

8 Q What does this document appear to be?

9 A A request from [REDACTED] for
10 assistance. And she received a response from us
11 that we were not taking action on September 11,
12 2025.

13 Q And do you have a sense from reviewing
14 the request of why the decision was made not to
15 take further action in this case?

16 A It is a type of humanitarian benefit, so
17 that will likely be deprioritized. I note that
18 it's a U visa request. So that subset, we do look
19 at those.

20 But, again, due to the situation being
21 in flux at USCIS's handling of all humanitarian
22 visa requests, it does not always make sense, and

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1 it often does not make sense for us to pursue
2 those requests.

3 Q And is there any information, even if
4 not in this specific email to this specific
5 requester, but any information that CISOM has made
6 available about the types of issues that are being
7 prioritized and being deprioritized?

8 A No. That is not information that I
9 think needs to be shared with the public because
10 that decision process is always under deliberation
11 and changing.

12 And, again, there are no bright-line
13 distinctions, so we may act on any one particular
14 case.

15 And I don't know that CISOM ever shared
16 anything like that, and they almost certainly had
17 a prioritization rubric of some sort. Again, they
18 only handled a minority of cases, so I assume
19 there was a prioritization, like all offices have.
20 And I don't recall ever seeing that shared, and I
21 don't recall Nathan indicating it ever was.

22 MS. COOGLE: Exhibit 73.

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1 period -- were those part of a batched set of
2 responses?

3 A I don't know, but that is very possible.

4 Q And do you know how many responses were
5 included and sent out contemporaneously, the same
6 time?

7 A No.

8 Q Do you know if there have been similar
9 batched responses since September 11th, September
10 12th, that include this same language saying, we
11 are not taking any further action?

12 A I don't know, but there probably is.
13 Because all of the cases, in terms of effectuating
14 an action in the system, are handled in a batched
15 manner. That's just an efficient way to handle
16 complaints when you have thousands, so they're
17 reviewed one by one.

18 But when a case worker will look at it
19 and say, okay, I know all of these that I'm going
20 to mark in the system as no action, nothing
21 happens when our staff takes that action in the
22 system. It's just denoting an internal system for

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1 an action that the public would see, like one of
2 these emails being triggered. That always happens
3 in a batch.

4 Q And how frequently are those batches
5 acted upon since you've been in the role at CISOM?

6 A Mr. [REDACTED] takes care of that. But I
7 think we're sending out batches at least every
8 couple of weeks, perhaps more frequently. But I'm
9 not sure.

10 Q And are batch responses being sent out
11 for OIDO and CRCL, as well?

12 A Yes.

13 Q And for CISOM, I think we've seen two
14 types of responses, one for the no further action
15 and one for the, your matter has been referred to
16 USCIS. Are there any other types of CISOM
17 responses that have been sent out in batches?

18 A I don't believe so.

19 Q What about for CRCL? What types of
20 responses have been sent out in batches for CRCL?

21 A CRCL has a more varied set of form
22 responses. There's 504 responses; there's the 345

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1 response; and it could look like we're opening
2 investigation; we're not pursuing it further;
3 we've referred it with no further action from us;
4 we've done a medical referral, I believe, has its
5 own form letter. So there's a broader range
6 there.

7 Q And do you know what form responses are
8 sent out in batches for OIDO?

9 A There is a similar to CISOM, we're not
10 taking action on your complaint, letter. And then
11 there is a, we've referred it to ICE or CBP,
12 letter.

13 And then there is another one where it's
14 not automated, but it's customized if we need a
15 more substantive response or if we need more
16 information.

17 (Exhibit 74 was marked for
18 identification and is attached to the transcript.)

19 Q What does this document appear to be?

20 A It's a message from [REDACTED] to you,
21 saying that CISOM terminated assistance with the
22 delayed receipt from the NSC. And it has there

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1 respect to OIDO?

2 A Thirty-seven OIDO complaints.

3 Q Do you have any idea why that number
4 would be so low if there have now been 288
5 complaints received?

6 A No. No.

7 Q Okay. Do you -- well, let me ask you a
8 different question. If you looked at the
9 complaints over the course of, you know, from
10 month to month, would the numbers be pretty steady
11 throughout the year? Or have there been more
12 complaints in the latter part of 2025?

13 A There have been more in the latter part
14 of 2025.

15 Q Okay. You also mentioned that there has
16 been an uptick in CRCL complaints. Would you say
17 that's also been from month to month with there
18 being more CRCL complaints recently?

19 A Yes.

20 Q Okay. And if you had to break it down
21 between detained individuals, family members,
22 NGOs, where would you say the majority of those

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1 complaints are coming from for CRCL?

2 A They're coming from the complainant
3 themselves.

4 Q So the detained individual specifically?

5 A Yes. Yes.

6 Q And those are being submitted via the
7 web portal?

8 A Yes.

9 Q Okay. How do you correspond and provide
10 status updates or the sorts of correspondence we
11 were talking about earlier, referrals or case
12 closures, to individuals in detention when they
13 submit a complaint?

14 A To the email address attached to the
15 complaint.

16 Q And is an email address required to
17 submit?

18 A I'm not sure if it is. I don't know.

19 Q Okay. So if someone was using a tablet
20 at a detention facility to submit a complaint, do
21 you know if they would have access to sending and
22 receiving email as well?

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1 Defendants here.

2 EXAMINATION BY COUNSEL FOR THE DEFENDANTS

3 BY MR. DAVIS:

4 Q You discussed the Office of General
5 Counsel's roles in the various offices; do you
6 recall that?

7 A Yes.

8 Q And for CRCL, they're involved in 504
9 decisions; does that sound right?

10 A Yes.

11 Q Who makes the actual final
12 determinations on 504 complaints? Is it CRCL
13 staff or is it OGC?

14 A It is me.

15 Q And so what is OGC's role in the process
16 of reviewing 504s?

17 A They advise me as to precedent and case
18 law that might be applicable to 504s. And they
19 analyze the fact pattern in a complaint to case
20 law and precedent and advise me on which way the
21 determination should likely go based on precedent
22 and case law.

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1 Q And how does this differ from OGC's role
2 before the RIF?

3 A It does not.

4 Q So who decides the EEO final agency
5 decision, as you called it?

6 A I do.

7 Q How often -- before the RIF, how often
8 did the offices refer complaints to the component
9 agencies?

10 MS. GILBRIDE: Objection, vague.

11 A I don't know, but it was certainly
12 something they did.

13 Q What steps can the various offices do to
14 remedy complaints that are filed with them?

15 A There are any number of actions that we
16 can take. A statute does not proscribe an action.
17 We can choose to investigate ourselves; we can
18 refer out; we can not take action at all.

19 Q I believe Plaintiff's counsel asked you
20 about when OIDO staff was in detention facilities.
21 Do you recall that?

22 A Yes.

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1 Q And they used an example of a blanket.
2 How could, in those terms, the offices directly
3 remedy complaints?

4 A They could not. My understanding from
5 extensive conversations with outgoing OIDO
6 leadership is even for the simplest remedies, they
7 had to go to facility staff to provide that
8 remedy. So they were a middle person for
9 something like getting a blanket.

10 Q And do, generally, the offices provide
11 recommendations, policy recommendations based on
12 complaints or systemic issues; is that right?

13 A Yes.

14 MS. GILBRIDE: Objection, compound.

15 A Yes.

16 Q And what enforcement mechanisms do the
17 offices have to enforce those recommendations?

18 A None.

19 MS. GILBRIDE: Objection, compound.

20 A None.

21 Q What are the benefits of referring
22 complaints to a component if, let's say, the

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1 component already has that complaint, like ICE?

2 A With current leadership, it is putting
3 the highest level of department leadership's heat
4 on it. And so it will not be overlooked because
5 the fourth and fifth highest ranking officials in
6 the department, by my understanding of it, are
7 saying, this complaint is coming from my office.
8 You better pay attention to it.

9 Q Going back to the people at the
10 detention facilities previously, were there any
11 issues with the case managers at those facilities?

12 MS. GILBRIDE: Objection, vague.

13 A There are abundant issues.

14 Q Could you elaborate on them at a high
15 level of generality?

16 A One OIDO employee was convicted of
17 criminality and served jail time for it for
18 distributing contraband in the facility and we
19 have numerous complaints against contractors who
20 did that case work for all manner of things, like
21 drug distribution, rape, sexual assault of
22 detainees, illegally trying to influence

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1 immigration applications and coach detainees for
2 how to get their applications approved.

3 Q Are you aware of any problems with the
4 complaints that the people on the ground received
5 on behalf of OIDO?

6 MS. GILBRIDE: Objection, vague.

7 A Could you rephrase?

8 Q Are you aware of any -- do you have any
9 concerns with the types of complaints that the
10 case managers from OIDO received on the ground?

11 A Yeah. So in looking at their case
12 management system and the complaints they filed on
13 behalf of the detainees, it was clear to me that
14 there was a lot of gaming of the numbers. So for
15 something as simple as one problem, they would
16 file five different tickets, which inflated the
17 amount of work that they appeared to be doing.

18 And I don't know if that accounts for
19 the discrepancy in their report. The '23 annual
20 report had something like 12,000 complaints,
21 quote/unquote, closed, but only 800 redressed.

22 So I don't really know what that means.

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1 case summaries and conclusions.

2 Q In the investigations that you have
3 opened for OIDO since taking over your role, have
4 any violations been found in any of those
5 investigations?

6 MR. DAVIS: Objection, deliberative
7 process privilege. You can answer generally, but
8 not about specific complaints.

9 A Minor violations, some.

10 Q And compared to the total number of
11 complaints that you have received, what percentage
12 have resulted in a finding of a violation?

13 MR. DAVIS: Objection, vague.

14 A Very few. Small percentage, very small
15 percentage.

16 Q Would you say more or less than 10
17 percent?

18 A Less than 10 percent.

19 Q Okay. Nothing further.

20 MR. DAVIS: Nothing further from
21 defendants. We will designate the transcript as
22 confidential, especially because one of the